

DECLARATION

Lords and Commons

Assembled in Parliament,

Concerning his Majesties advancing with his Army toward London. With direction, that all the Trained bands and Volunteers be put into a readinesse.

Also, how Sir Iohn Hinderfon urged one David Alexander a Scotchman, to kill Sir Iohn Husbam, and blow up the Parliaments Magazine; to whom His Majesty gave money, and he received it.

Together with the Depositions of the said David Alexander and Sir Iohn Hinderfon,

Whereunto is added,

Severall Votes of the Lords and Commons, Corrected and amended by the house of Commons to prevent false Copies.

Sabbati 15. Octob. 1642.

Ordered by the Lords and Commons in Parliament, That this Declaration, Depositions, and Votes thus amended, be forthwith Printed and published.

H. Elsyng, Cler. Parl. D. Com.

LONDON,

Printed for Edw. Husbands, and J. Franke.

Octob. 18. 1642.

DECLARATION
OF THE
Lords and Commons

Assembled in Parliament.

THe Lords and Commons in Parliament, considering with much tendernesſe and compaſſion, the miſerable condition of this Kingdome, diſtracted, and diſtempered with many preſent evils, and imminent dangers, and brought now to ſuch an height of extremity of miſery, that two Engliſh Armies are neer together, even ready to joyn in a dreadful & bloody encounter, through the violent and wicked counſell of thoſe who have captivated both the Perſon & the Power of the King to their own impious and trayterous deſignes, do thereupon thinke good to publiſh and declare the ſame to the Kingdome; together with ſome directions and proviſions which may prevent that utter deſolation and ruine both of religion and liberty, already overwhelmed and ſuppreſſed in the intention and hope of thoſe rebels and traytors about the King; To which purpoſe, it is deſired by both Houſes, that all wel affected ſubjects may take notice of theſe particulars, that the King by the help and aſſiſtance of the papists, the prelatiſh and corrupt part of the Clergy, the delinquent Nobility, and Gentry, & by the confluence of ſome notable traytors from beyond the ſeas, the Lord Digby, Onſlow, and others, and of many deſperate mercenary and ill affected perſons from all parts of the Kingdome, hath raiſed an Army,
armed

armed, cloathed, & fed, for the most part with the spoyle of his subiects, giving them liberty to plunder and rob all sorts of people, to exact money and plate from Corporations, by threatening fire and sword if they should refuse it.

That this wicked Councel doth not only hinder his Majesty from exercising the justice and protection of a King towards his people; but even that honour which is observed betwixt enemies; for by a confident instrument of his Majesty, Sir *John Hinderson* a papist (as we are credibly informed) one *David Alexander* was urged to kill Sir *J. Hotham*, telling him it would be a good service both to God and the King, which he refused to do, saying, it was the work of a Butcher, and not of a Souldier; this *Alexander* being a Scotchman of a very poore fortune, and of a mind fit for desperate attempts. the King sent for him twice, while he was at *Beverley*, and when he came to his presence, he spake to him publickly in the field, and appointed a summe of money to be given him, which he received.

After which another proposition was made to him by the same Sir *I. Hinderson*, that he would put fire to the Magazine of the Army raised by the Parliament, & to gaine the better opportunity to effect it, that he should labour to get some employment in the train of Artillery, w^{ch} he accordingly undertooke, & endeavoured to obtain; But before he could effect mischievous intention, he was discovered, apprehended, and examined, and thereupon confest the practise, and undertaking, the particulars wherof are referred to the examinations thereupon taken. That the King doth send out Letters to borrow great sums, professing that those who will not lend him money, do give him just cause to suspect their duty to his person, and the peace of the Kingdome. And this will be a sufficient reason to make them lyable to be plundered and spoyled of all they have; but such is the violence of the Kings army, that their friends are in little better case then they

they who oppose them, and those who escape best must yet feed, and billet the souldiers for nothing.

In those places where the Trained bands are willing to go forth to serve in his Majesties army, yet for the most part their armes are taken from them, and put upon those who are more mercenary; and lesse intrested in the Commonwealth, and so likely to be fitter instruments of rapine and spoile.

By these great violences, and oppressions, they have so exhausted those parts, that His Majesty cannot stay long about *Strewsbury*, and it is the earnest desire of the Cavaleery, that he would march forward towards *London*, those rich and fruitful Countreies in the way being like to yeeld them a supply of their necessities, and the wealth of *London* a full satisfaction of their hope, where they likewise think to finde a party, which upon his Majesties approach may make some disturbance, and facilitate their designs upon the City.

That if the Kings army prevaile, the good Subjects can expect nothing, but that their lives and fortunes will be exposed to the malice and rapine of those ravenous souldiers, who often talke of cutting the throats of honest and religious men, and have long expected their goods and estates, as the rewards of their service; the Kingdome will again fall under the government of those mischievous Councels, who before this Parliament had even brought both religion and liberty to ruine; and we shall have no hope left of any more Parliaments, but such as shall be concurrent and subservient to these ends.

The means of curing and preventing these evils and dangers we conceive to be these.

That good provision be made by lone and contribution for the Army raised by the Parliament under the Lord Generall the Earle of *Essex*, which is no whit inferiour in Horse and Foot to the Kings Army, better armed, full paid, restrained

ned from disorder and rapine as much as may be, well provided of all outward necessities, but above all, well encouraged and instructed in the goodnesse of the cause by the labour of many godly and painfull Divines.

That this Army be alwaies ready to attend the removes of the Kings army, either in one body, or divided, as there shall be occasion, according to the wise conduct and direction of the Generall, that so no opportunity of fighting upon advantage be lost, nor the greedy souldiers of the Kings army suffered to range and spoyle the Country at their pleasure.

That the Countries through which the Kings Army is to passe, doe associate themselves, and draw all their Forces together for the mutuall defence of their persons, and goods, from oppression and spoile.

That those Counties be required to send in all their horses fit for carriage, and for dragoons, aswell for the assistance of the Lord Generall; For which in convenient time they shall receive satisfaction; As likewise that by such means those Horses may be kept from being imployed by the Kings Army.

That command and direction be given, to all Lieutenants of Counties and deputy Lieutenants, that all the Trained-bands and all Volunteeres be put into a readinesse, to be brought to such rendezvous, and to be obedient to such commanders in chiefe, as shall be appointed by the Committee for the safety of the Kingdome, or by the Lord Generall, that so the Kings Army may finde opposition in every place as they passe; And the inhabitants may have at hand a sufficient protection and defence; And the Lord Generall may strengthen his owne Army, with these Forces, as hee shall see cause.

That Powder, Munition, and Ordnance, with all other necessities, be prepared for these Forces, That so without any trouble, or confusion, they may be brought together, and fitted for service, upon all sudden occurrents. That

That all those who in the City of London or any other place, shall weare any colours or other marks of division, whereby they may bee distinguish'd from others, and knowne to be of the malignant party, shall be examined, searcht, and disarmed; As likewise all others, who being able, shall not lend or contribute towards the publique safety of the Kingdom in this time of so great and imminent danger.

That it be commended to the serious consideration of those in the Kings Army, and of all other that intend to assist and succour his Majesty, in this impious and unnaturall War (amongst whom it may be hoped there are some honest men and Protestants) what it is that moves them in this quarrell.

Is it for feare of some innovations and alterations of Religion, or Church Government? Let such as are posselt with this vaine and causelesse apprehension, know, that nothing is Intended, or desired, but to take away the government by Bishops, which hath been so constantly, evidently, mischievous, and dangerous, to the Church and State, and such other things as shall be found to be justy offensive, And nothing to be settled, and introduced, but by authority of Parliament after consultation first had with an assembly of learned and reverent Divines.

Is it to uphold the authority prerogative and honour of the King, and to preserve the safety of his royall Person? Surely the Parliament is, and ever hath beene ready to doe any thing that belongs to them to secure all these, which they have often testified by many humble petitions to his Majesty.

If there be no cause for any of these respects to seeke the destruction of the Parliament, and the blood and ruine of their kindred, friends, and acquaintance, what remaines then to be the matter of the quarrell, and the motives of such great combustions, and the effects and consequences of their

their victory if they should prevaile? That Priests Jesuits and the Popes Nuncios may domineere and governe in the Kings Counsell, as heeretofore; That the Arch-Bishops of *Canterbury* and *Torke* and their suffragans, may suppress diligent, and powerfull preaching, and banish and oppresse all the most pious and best affected Subjects of the Kingdome, & introduce the popish Religion, under a Protestant profession, till they have strength and bouldnesse to cast off the disguise, and openly appeare that which indeed they are, and would not seeme to be.

That the Earle of *Bristol*, and his sonne the Lord *Digby*, Mr. *Jermin*, and other such Traytors may possesse the great places, and government of this Kingdome, and be the arbiters of the affaires of State and distributors of preferments, and disgraces, to such as shall further or oppose their designs.

That the delinquents, oppressors, and destroyers of the Kingdom, may not only escape the justice of the Parliament, but triumph in the spoiles of all honest men, good Patriots; And that throughour troubles, and divisions, the Rebels in *Ireland* may prevaile; That we may cease to be a free Nation, and become the Object of cruelty, and oppression at home, and of scorne and infamy abroad.

And if there can be no other fruit of their hazard and endeavours on that side, let them then consider whether by adhering to the Parliament they may not expect effects more sutable to the desires of honest men, The glory of God in the preservation of his truth, The peace of the Church, by securing it against the pride, avarice, and ambition of the Clergy, The honour greatnesse and security of the King, by freeing him from false and Trayterous Counsell, and establishing him in the hearts and affections of his people, the prosperity of the whole Kingdome by the blessing of good Lawes and a righteous government.

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The



The examination of *David Alexander*,
taken Octob. 6. 1642.



HE saith, when the King went towards the north, at *Newmarket* he came to the Court, and followed the King to *Torke*, and stayed at *Torke* when the King first went to *Kingstone* upon *Hull*, and came back to *Torke*, and after the Kings returne Sir *Iohn Hinderson* told him it was a good service to God and the King to kill Sir *Iohn Hotbarn*, and he refused to do it; and that he said he would rather venture upon an Army, and then the King went to *Beverly*, and the Postmasters boy brought him word from Sir *James Hamilton*, he should come to *Beverly*, and should be made Corporall of the field, which he sleighted, and said he was an old man man, and could not ride, and then Sir *James Hamilton* sent to him to meet him at the Posthouse, which he did, and Sir *James* told him if he came not the next day, he would lose his place; he told him he had no money, and he gave him ten Shillings, and with that he hired Horse and went thither, and that he came to the *L. Lindsey* Generall, which said he was welcome, and bid him go to the King, and told him the King had sent twice for him, and the next day (which was the day wherein the Earle of *Holland*, &c. had his audience) the King being in the field spake to him and bid him goe to my *L. Generall* who gave order to Sir *J. Culpeper* to give him ten pounds, which he received, and my Lord
Generall

(3)

Generall told him Master *Slingsby* and an other Knight were about a Myne which failed, and the siege raised, and afterward he went to *Nottingham*, and there Sir *John Hinderson* said to him, he should do good service if he would set the Magazine a fire, and that he undertook to do, and he told him it would be well if he could get a service in the Train of Artillery, and often speech with him upon that action, and said he should be highly recompenced: And thereupon he came to *London* on Tuesday was five or six weeks, and he was with Sir *William Balfore*, and made means to go into *Ireland*, and that he confess'd to Sir *Balthazar Gerbier* upon Munday last all the passages betwixt him and Sir *John Hinderson*; and to no body else, but he spake to Sir *John Mildram* to get him a place in the Irish wars, and Sir *John* promised to speake with the Irish Committee for him; He said Sir *John Hinderson* told him the King was acquainted with this proposition of firing the Magazine divers times: And this examinant told him that he had spoken to Sir *Balthazar Gerbier* to tell the King that he could not performe it, and he denied that ever he had laboured for any place in this Army.

David Alexander.

The

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*The Examination of Sir Balthazar Gerbier
taken the 8th of Octob. 1642.*

HE sayes, he knowes one *David Alexander* a Scotchman, and ha's known him long, and ha's had discourse lately with him.

He sayes, the said *David Alexander* said he had a proposition made to him to kill some body, but none named to this examinant, he answered, that to kill a man was fit for a hangman; but any generous act befitting a Souldier he would do.

The said *Alexander*, said that Colonell *Hinderson* made this proposition at the Court, he sayes that Act was proposed; That another proposition was made by the same person, that he should get a place in the Train of Artillery, and getting knowledge where the Magazine was, to do his best to fire it, and this he entertained and was received, and had mony given him; and besides Colonell *Hinderson*, and Master *Endymion Porter* spoke also concerning the same: businesse to him.

This Examinant sayes, he knows not whether *Alexander, Hinderson*, and Mr. *Endymion Porter* spoke of the same at the same time, nor did he tell him whar summe of Money he received, nor did he speak of any other Promises; Upon the third of this instant at nine of the clock this discourse was, which he noted in his Table-book. Then desiring to look in his Table-book, the Examinant further related, That he having occasion to use some mans service
to

to the Court, with the Venetian Ambassadour, according to his place, he sent to this *David Alexander*, to know if he would go along with him; the said *David* told him he could not go, the Examinant wondred at it, knowing his poverty, and asked the reason, thereupon he said he had some service to do, and the Examinant being his old friend, he would deale plainly with him, and tell him, and said it was of that nature, that it was as much worth as his life to discover, the Examinant wondred at it, and made some difficulty to know it; but he answered that in the Lord *Buckingham's* time he had bin his friend, and therefore to him he would tell it, and put his life into his hands: The Examinant said, why wilt thou put thy life into such danger, then he said he was dispaht and had received money for it to apply himself to the Army, and to endeavour to get a place about the Artillery, to the end to take a time to fire the Magazine; which he said you know I can do by an instrument made like a watch, which having gone for so many houres then strikes fire, he said he had applyed himself to Sir *William Balfore* to be recommended by him, but was put off, only had offered to him 14. s. *per diem* for a Serjeant Majors place of Dragoons, or some service for *Ireland*; but he refused it, as not fit for him, saying, that he was more proper for fire-works & artillery, &c. He said further, that meeting with *Dulbier*, he told him, how now *David* thou do'st not come hither for the service against those from whence you come, he said no; and then resolved

to apply himself to Sir *John Meldram*, by whom he was to be presented to the house the third of this instant: he desired this Examinant to take this relation from him and to acquaint the King with it, to whom it would be acceptable to know what was become of him, and he could not write it himself, and therefore wish't this Examinant to write it in his table-book: This Examinant said he would put it into his table-book, and said how should I venture to tell this to the King, or know it to be true; and he said the King would soon know that, and it will be an honour to you to be so trusted, so he concluded his discourse with presenting a Scotchman to this Examinant in his journey, the Scotchman was his companion, and a Solicitor here for one *Gordon* the Kings Agent at *Hamburgh*; but this Examinant took only his name, and liking not his aspect, promised to send to him some other time.

Balthazar Gerbier.

The

THe same Examinant, upon the seventh day of *October*, doth confirm all the particulars aforementioned: And further saith, That the reason why he told Sir *Balthasar Gerbier* of this businesse, was to desire him to tell the King that he could not as yet perform it, and he thinks that the King and Sir *John Hinderson*, do believe that he is in my Lord Of *Essex* Army; and that he doth intend to perform his promise.

Taken the 10 of *October*. *David Alexander.*

THis Examinant told Sir *Balthasar Gerbier* the third of *October* last, I cannot go with you, because I have undertaken to fire the Ammunition in the Army of Parliament, and tell the King or Sir *John Hinderson* I have not effected it; but I am going to Sir *John Meldram* at 9 of the clock this morning, to bring me to the Parliament, to get employment in the Artillery belonging to the Parliament; and that I might have had fourteen shillings a day to be a Major in a Regiment of Dragooners with the Parliament, and refused it; which he desired the King might know.

David Alexander.

Octob. 10. 1642.

THe said *David Alexander* further acknowledge-
eth, That he offered to tell Sir *Balth. Gerbier* what
the great businesse was which did hinder him from

going with him, and what he had said was as much as his life was worth to discover: That Sir *Balthasar Gerbier* did refuse to hear it; but this Examinant did very earnestly presse to hear what it was.

David Alexander.



Die Sabbati, 15 Octob. 1642.

Resolved upon the Question by the Lords and Commons assembled in Parliament,

THat such persons as shal not contribute to the charge of the Common-wealth in this time of imminent necessity shall be held fit to be Secured.

Resolved upon the Question by both Houses of Parliament,

That such persons as shall not contribute to the charge of the Common-wealth in this time of imminent necessity, shall be held fit to be *Disarmed*.

ORdered by the Lords and Commons in Parliament assembled, That the Lord Maior and Sheriffs of the City of *London* shall forthwith search the houses, and seize the Arms belonging unto *M. Nathaniel Jefferson, M. Austin, M. John Bedle, M. John Batty, M. Ralph Long, and M. Robert Lewis*, all of Bredstreet ward: *M. Jo: Blunt* of Lymestreet ward, *M. Ald: Wright* of Colemanstreet Ward, *M. Roger Drake*, and

and M.*John Walter* of Farringdon without, For that as it appears by the report from the Committee, they have not contributed as they ought, to the charge of the Common-wealth in this time of imminent necessity.

Resolved upon the question by both Houses of Parliament,

That the fines, rents, and profits of Archbishops, Bishops, Deans, Deans and Chapters, and of such notorious Delinquents who have taken up Arms against the Parliament, or have been active in the Commission of Array, shall be sequestred for the use and service of the Common-wealth.

Resolved upon the question by both Houses of Parliament,

That the Kings Revenue arising out of rents, fines in Courts of Justice, compositions for Wards, and the like, and all other His Majesties Revenue, shall be brought into the severall Courts, and other places where they ought to be paid in, and not issued forth, or paid out, untill further Order shall be taken by both Houses of Parliament.

The manner of Sequestration is referred to a Committee.

FINIS



EX 12

2
THE
SENTENCE OF
THE
House of Commons,

VPON
MR. HENRY DARELL,

For reporting that

Master P Y M

A Member of the said House, should
take a Bribe of thirty pounds :

Together,
With the said Master Darells acknowledgement
of his enour therein.



Ordered that this acknowledgment of Master Darells,
and the sentence of the Commons thereupon bee
forthwith Printed.

H. Elsyng Clerk. Parl. D. Com.

LONDON,

Printed for E. Husbonds and J. Franck. O^r. 18. 1642.

House of Commons
THE
SENTENCE OF
THE

Mr. E. V.  

A. Member of the Aid Board, 1914
 (Signature)

With the full Member Development

Other than the acknowledgment of the Board and the fact that the Board has the right to remove the Board of Directors, the Board of Directors has no other powers or duties.

LONDON

Printed for E. M. M. and J. B. M.

Die Jovis, 13 Octob. 1642.

His Acknowledgement,
 subscribed by Master Da-
 rells owne hand, was by
 himselfe this day volun-
 tarily offered to the House of Com-
 mons and read, viz.

W Hereas I Henry Darell did
 report, that Master Pym took
 a Bribe of thirty pounds, I doe seriously

A 2

confesse

(2)

confesse I never had any true ground
for it, and am heartily sorry that I
should report so false an untruth, And
humbly crave pardon for this my great
folly and offence in reporting the same
words: And am so farre from justifying
of them, that I am willing to give such
satisfaction to this Honourable House,
and to Master Pym in particular, as to
this House shall seem fitting, and referre
my selfe wholly to your mercy, it being
my first Offence, and hope that it shall
be hereafter a warning to me ever to
commit the like.

Henry Darell.

Master Darell was called in, and
demanded by Master Speaker, whe-
ther this Acknowledgment were his
owne,

(3)

owne, and under his hand : he did
acknowledge it to be his owne, and
under his hand : And thereupon the
House proceeded to this Sentence,
viz.

Resolved upon the Question, That
Master *Henry Darell* shall make his
Acknowledgment here at the Barre
presently, and on the first day of the
next full Terme, that he shall make
the same Acknowledgment at the
Kings Bench Barre, the Chancery
Barre, the Common-Pleas Barre,
and the Exchequer Bar, the Courts
then sitting.

And then Master *Darell* kneeling,
Master Speaker pronounced the
Sentence aforesaid, and in part of
performance thereof, hee did upon
his knees make this acknowledge-

A 3

ment,

(4)

ment, and read it upon his knees.
Resolved upon the Question, That
Master Darell shall be bailed upon
such Baile as this House shall allow
in the meane time till he hath per-
formed the rest of the Sentence,
and upon Certificate thereof to be
discharged.

FINIS.



*Ordered that this acknowledgment of
Master Darells, and the Sentence of
the Commons thereupon, bee forthwith
Printed.*

H. Ellynge Cler, Parl. D. Com.



THE COMMONS

Ordered that it be
Manner Davell
the Commons
Printed.
H. King: Cl. T. D.

THE COMMONS

The Copy of a

3

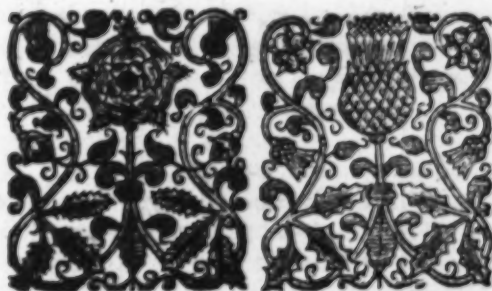
LETTER

Sent to the

KING

BY

Sir Jo. Meldrum.



London, Printed for Joseph Hunscomb. Octob. 18. 1642.

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Most Gracious Sovereign,



I is held a common Tenet, That an Apologie doth imply an offence ; Whereof if I were conscious to my self in the least breach of Allegiance, due to Sovereignty, I would not blush in the ingenious acknowledgement of my guiltinesse ; but would (in all humillity) throw my self down at Your Majesties feet, though culpable in nothing else (so far as my conscience doth suggest) but of a great aversenesse in disposition, and a great relaxation I have had within my self, against all the late proceedings have been attempted in Your Majesties Service ; which (if it should be found criminall) there are not many of Your Majesties best advised and best affected subjects or servants of any quality, who stand either for the glory of God, The Honour of Your Majesty, or, The peace and happinesse of the Kingdom, who (*in foro conscientiae*) can plead guiltlesse in that point : And if there be any of a contrary sense (who are considerable) It will appear (upon a strict search) That flattery, spleen, or emulation, hath rather transported them then any thing else, will be found essentiall, to make such a breach as the Kingdom is threatened with ; which (unprevented) may bury them and their posterities in the ruines thereof. The Zeal I have had to Your Majesties Fathers Service in *Ireland*, in settling the Province of *Ulster* ; and to Your own Service at *Rochell* (which in my time hath had no example) will

vindicate me from any aspersion may be cast upon me, either of ingratitude, or disloyalty: And that all Your Maiesties favours have produced no other effects to me, but to, have been made the subiect of all calumnies, and detraction, that malice could brand me with, and a deep engagement in 2000^l debt, after the spending of 36 yeers of time in Your Maiesties Fathers and Your own Service. I did adventure upon a great freedom of discourse with Your Maiesty at *Newcastle*, upon the subiect of War; which if it had taken any impression (lutable to the sincerity of my heart) as a businesse of so high a Nature did require, Your Maiesty might have avoyded many unhappy accidents which have encountred all Your Attempts since that time; which cannot be interpreted to have sprung from any other source, then from the rashnesse, arrogancy, and ambition of some presumptuous spirits, who have drawn Your Maiesty upon ruinous Precipices, which could not but bring forth the like wretched effects: Their aym was at nothing so much, as at the disgrace and overthrow of all Your Maiesties well-affectd and loyall subiects and servants, who were not stamped with the Character of the time; and to engage Your Maiesty in their unhappy Interests of ambition, gain, malice, revenge, despair, and emulation; as if Your Maiesties Crowns, and their desperate Fortunes, had had but one and the same Center; as if both had been cast in one Ballance, to stand or fall, in the distractions of the times. When I did look upon the lamentable posture of three Kingdomes, reduced to a great height of desolation and misery: When I did perceive that no corner in all Your Dominions that could afford one good man, that was sensible of the purity of Religion towards God, of the Honour, Peace, and Safety of Your Maiesty and Kingdoms; who did not groan under the exorbitances of the time: And when there was small probability (unlesse by miracle) that Your Maiesties Diadems could retayn that ancient lustre and beauty; nor those *Halsion* dayes of publike prosperity Your loving subiects and their Ancestors had formerly enjoyed, under the Raigns of your Royall Progenitors (whilst they kept a regular course of Government with their Parliaments.) I could finde no better way to do Your Maiesty a more agreeable Service, then by stopping the

the course of a Civill War, so far as could fall within the compass of my endeavour, to embrace any fit opportunity offered (as to cast my self within *Hall*) whereby my zeal and affection to the publike good might be demonstrated, in a service for the common Interest of Your Maiesty and the Kingdom; which whosoever shall go about to separate, cannot but expect such fearfull events as ordinarily do accompany all such, who would entertain and foster a wofull Divorcement betwixt a Prince and his People; a wretched division betwixt the head and the members; which (of necessity) must bring forth prodigious issues, as may not onely shake the foundation of Monarchy; but also overflow the fertile and pleasant fields and valleys of this Kingdome with streams of innocent blood, which might be more safely reserved for more advantagious, and more honorable employments, then profusely sent, in the ripping up of the bowells one of another, of Your Maiesties good subjects, by an intestine War, which will divide the father from the son, the brother from the brother, and the neereft kinsman from his dearest friend; and that (which is most deplorable) the ground of the War must arise from the unsetled and unconstant appetites of some factious and turbulent spirits, overladed with the bitterness of their own passions and interest, and at such an unseasonable time, when a more iust, and a more honourable subiect for a War, cannot be long wanting, if the unseasonable distempers of the time could allow your Maiesties good subjects a little time to breathe in the calm ayre, and happiness of a blessed peace, untill such time as *France* and *Spain* (by their mutuall clashing) have so far debilitated each other, that both might run the hazard to be made the Stage for Your Maiesties just indignation, provoked by the affronts have been put upon Your Maiesties Father and Your Self, in the unjust detention of the Patrimony of a Grand-childe of this Crown; if there were a happy attonement with Your Maiesties loving subjects, strongly cemented by a strict correspondency with the *Netherland* Provinces, whose friendship or immunity may do more good or hurt to these kingdoms, then the friendship or immunity of *France* and *Spain* ioyned together. The miserable sense of that War in *Italy*, by the pertinacious obstinacy of *Charles* the eighth,

which was stirred up and fomented by the ignorance and ambition of that proud Prelate, the Bishop of *S. Mals*, which did draw on his shamefull expulsion out of *Italy*, at the expence of his reputation, and hazard of his life: The deplorable event of that War, violently prosecuted by *Charles* the more hardy then wise Duke of *Burgundy*, against the *Swisses*, which had no other ground but unmeasurable ambition, and the refusal of redresse to some of the *Swisses*, who had but a Cart full of Sheep-skins taken iniuriously from them, going to their Market, by the Count of *Ramont*, which was paid home by the losse of his Baggage, by the losse of his reputation, by the losse of his Family (which for four Generations, had stood in competition with the Emperour, and the French King) and in the end, by losse of his life. The vast and profuse consumption of more men and money, spent by the King of *Spain* in that *Belgick* War, then might have reduced *Italy* and *France* to that *Austrian* servitude (aspired unto by *Charles* the fifth, aiming at a fifth Monarchy) which if it had in time been nipped in the bud, might have been easily prevented, by hearing the humble Petitions of a handfull of his subjects, oppressed with the Tyranny of the Spanish Government, may serve as example of terrour to all great Princes, who (at the appetites of their servants) will embark themselves in such extricable errors, as are often accompanied with sudden and unfortunate events. Many great and honorable Actions have been brought to happy and glorious conclusions, by Princes who have relied upon the valour and affection of their loving subjects; which (being wanting) the examples of good success have been no lesse rare, then of black Swans, either in ancient or modern Stories. The hearty acclamations of joy at Your Fathers entry to the Crown of *England*, the publike exultations at Your Majesties safe return from *Spain*, will challenge a more kindly retribution, then the exposing of the Fortunes and lives of Your good subjects to the inhumane butcheries of an intestine War, which (like a *Gangrene*) hath already over-run the greatest part of *Europe*, and may (by the revolution of time, whereunto all sublunary things are subject) kindle such a fire here amongst Your good subjects, which will not be quickly extinguished, by all the

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plots & practices of the time, nor without some hazards to your Scepters. Especially when strangers (being invited by our distractions) if they have power, ambition, and sence of revenge, may endeavour to be sharers with Your Majesties good Subjects, in the felicities of this Island, as the onely place in *Europe*, which hath been long exempted from the thraldom and bondage of War, which undoubtedly they would have attempted before this time, If God (in his gracious providence and care of this Island) had not suffered *France* and *Spain* to be deeply imbarqued over head and ears: The common quarrell of invasion which Princes never forget, if they can finde an opportunity to remember, The Jesuitick plots to extirpate the whole body of Protestants in this Island, which (as it was in former times, the onely safe Sanctuary and protection of all that suffered under the tyranny of *Rome*) may (by these Machinations, rooted here too deeply) become a Cage for unclean birds to nestle therein, and disturb the peace of these Kingdoms, as a powerfull effect of too much implicate trust put in some, who will prove in the end Your Majesties greatest enemies, and of too much neglect of others, who will be found the best supporters of the dignity of Your Person, and Crowns. And if there be a War really intended, there is a necessity of a more solid foundation then the protection of evil and unadvised Ministers, whom Your Majesties Predecessour *Henry* the fourth of *England*, would have rather offered up as publike Victims to an offended Commonwealth, then that three Kingdoms should lye pitifully exposed to the hazards of a publike conflagration; which God in his mercy avert: I must rather accompt him an ignorant Mountebank then a skillfull Physitian, who adviseth his patient to apply a more violent remedy, then the nature of the disease will comport with, otherwise the remedy may prove worse then the disease: Nor shall I ever accompt him for a faithfull servant, who perswadeth his Master to imbrace any action, which may more conduce to the advancement of any private interest of ambition, gain, malice, revenge, despaire, or emulation, then to the safety of his Masters reputation and honour: Your Majesty doth well know, the different Characters antiquity hath put upon the two favorites of *Alexander*, *Hephestion* and *Cratismus*,

Craterus, the one loved *Alexander* out of conscience, duty, zeale, and love as his Sovereign, the other loved the King for his magnificence, pompe, glory, and power; *Alexander* had to raise his fortune, and to make him great, not unlike to the Legionary Souldiers that followed *Germanicus*, recorded by *Tacitus*, to have said *fortunam meum potius quam me forebatur*, or such Court Parasits, who do rather look upon the fortunes, then persons of great Princes: I pray God Your Majesty have not too many of the one, and too few of the other kinde of Servants; Pardon Dread Sovereign this freedom of spirit, which no extremity, no power, no punishment can restrain, And which cannot but burst forth in this excess of passion and grief, to see Your Majesty so inclinable to give way to all such courses, which can presage no lesse then a fearfull revolation, if Your Majesty should continue in a constant course of being inexorable to the perswasions, counsells, and petitions of Your loving Subiects, inviting Your Majesty to adhere to your great Councell of Parliament, who are only able to make Your Majesty no lesse happy & glorious then any of your Royall Progenitors: God grant that in end, Your Majesty may be sensible of the Common calamities your good Subiects are involved in, and that some proper occasion may be represented, whereby every true and loyall Subiect may be encouraged, to offer up his sacrifice of blood, for the honour and safety of Your Majesty and your whole Dominions, whereof none shall be more prodigall Then

Your Majesties most humble
and faithfull Servant,

JO. MEIDRUM.

FINIS.

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EZEK. 34. 2.

THUS saith the Lord God unto the shepherds, woe be to the shepherds of Israel, that do feed themselves, should not the shepherds feed the flock?

I Have read over this short Treatise and conceive that it will be usefull being printed, to convince the World of that soule murdering sin of Non-Residency.

JO. SEDGWICK.

A
REMONSTRANCE 4
AGAINST THE
NON-RESIDENTS
of great Brittain:

OR
Non-Residency condemned by Scrip-
ture, by strength of Arguments, by Fathers,
Councils, Canon-Law, by the Judgement of
Reverend and Learned Divines.

THE CARELESSE NON-RESIDENT.



LONDON,
Printed by T. Budge, for Rich. Baynes, dwelling in
Fleet-lane, 1642.

THE NATIONAL MUSEUM

OF THE UNITED STATES

Smithsonian Institution



To all Carelesse }
Non-Residents } In { *England,*
 { *Scotland,*
 { *Ireland.*



He *Locust* in *Hebrew* is called *Arbeh*, of the numbers and multitudes, for *rabah* signifieth to multiply. *Non-Residents* are like a Company of *Locusts*, for they multiply exceedingly, there being no County in *England* but swarmes with them.

The *Locusts* are very fearefull and timorous, and therefore it is said of the horse, *Job 39 23. Canst thou make him afraid as the Grasshopper?* Whereby one may expresse the nature of carnall and worldly *Non-Residents*, that are full of feare, and at their wits ends, and know not which way to turne themselves, when they suppose that the *Parliament* will command them to attend their flocks, and to feed them in their own persons.

To all Carelesse

The *Locust* often shifted his place, *Non-Residents* have no certain dwelling or abiding place.

The *Locust* flock together, so do *Non-Residents* in Cathedrall Churches.

The *Locust* is given to spoile and devour green things, it was one of the plagues of *Egypt*; *Non-Residents* devour the tithes of many Parishes in this Kingdome, and they are not to bee numbred amongst the least of those plagues that God inflicteth upon us for our sins.

The *Locusts* caused *Pharaob* and his servants to cry unto *Moses*, that he would intreat the Lord to take them away; and our *Non-Residents* cause all good people to cry mightily unto God, to the Kings Majesty, and to the Honourable House of *Parliament*, to reform them, or remove them; that there may not be any carelesse *Non-Residents* in all the Coasts of *England*.

Search the Scriptures, for in them ye think to have eternall life, but they are they which testifie against you: Why are ye called **Watch-men*? but that you should be vigilant: **Harvest labourers*? but that you should be painefull:

Exhortat. to
Non-Residents

* b Heb. 13. 7.

* Mat. 9. 38.

Non-Residents.

full: * *Shepherds*? but that you should have a care of your flocks: * *Stewards*? but that you should bee faithfull. You say that you love your Congregations, why do you not therefore in your own persons, drive them to the green pastures of Gods Word, and lead them by the waters of comfort? When Christ in *John 21* asked *Peter* thrice, *Simon, lovest thou me?* 1 *Plusquàm tuas.* 2 *Plusquàm tuos.* 3 *Plusquàm te.* More than thine, more than thy self, as *Bernard* expounds it: and *Peter* still answered, *Yea Lord, thou knowest that I love thee.* Christ gives him this marke to know it by, *pase: oves, pascere agnos;* It may be known, by thy care in feeding my lambs, and tending my sheep. The Apostle calls Ministers *remiges* of *ipsius*, to row, as if they were captives condemned to the Oares, whose armes must row the ship of Christ to shore, yea the winds being conspired against them. Why should you to undervalue, and slight Preaching, as if it were too meane for the dignitaries and rich beneficed Parsons of our Church, and leave it as the refuse of your office for inferiour Ministers? Read *Acts 26.17, 18* and there you shall find, that the summe of the Apostles Commission

* *Ioh 21.15, 16.*

* *1 Cor. 4.1.*

Psal. 3.

1 Cor. 4.

To all Carelesse

See M. Bar-
nards Sermon
upon Acts 26.
17. 8.

Deane of Ar-
dagh in stand
Eis d. 27. 28.
29. 30. 31. 32.
33. 34. 35. 36.
37. 38. 39. 40.
41. 42. 43. 44.
45. 46. 47. 48.
49. 50. 51. 52.
53. 54. 55. 56.
57. 58. 59. 60.
61. 62. 63. 64.
65. 66. 67. 68.
69. 70. 71. 72.
73. 74. 75. 76.
77. 78. 79. 80.
81. 82. 83. 84.
85. 86. 87. 88.
89. 90. 91. 92.
93. 94. 95. 96.
97. 98. 99. 100.

On d. 27. 28.
29. 30. 31. 32.
33. 34. 35. 36.
37. 38. 39. 40.
41. 42. 43. 44.
45. 46. 47. 48.
49. 50. 51. 52.
53. 54. 55. 56.
57. 58. 59. 60.
61. 62. 63. 64.
65. 66. 67. 68.
69. 70. 71. 72.
73. 74. 75. 76.
77. 78. 79. 80.
81. 82. 83. 84.
85. 86. 87. 88.
89. 90. 91. 92.
93. 94. 95. 96.
97. 98. 99. 100.

Conferimus eos
qui Apostolo-
rum signum te-
nent predicare,
Gregor.

sion, was preaching; whence we may observe, that preaching and converting the soules of men, of all the acts of the ministry, is the most * Apostolicall, for further prooffe, see 1 Tim. 2. 7. both put together, *I am ordained a preacher and an Apostle, a Teacher of the Gentiles, &c.* the very same words again, 2 Tim. 1. 11. in both see how the Apostleship is supported on each side with this imploymment, 'tis preferred before the administration of Sacraments, 1 Cor. 1. 17. *Christ sent me not, that is, not so much to Baptize, but to Preach the Gospel:* Nay 1 Cor. 12. 28, 29. *God hath set in the Church first Apostles, secondly Prophets, thirdly Teachers, after that Miracles, then gifts of healings, Governments, diversities of tongues, &c.* Now wherein hath it so offended, that lately it should be compelled to take the lowest room?

'Tis a speech of Gregory, we account those to beare the image of the Apostles, who are Preachers, & if so, than the more negligent you are in Preaching, the neerer you draw to the Pope, whose Kingdom most of you establish, and the further from the Apostles, whom you ought to imitate.

When I read of S. Pauls charge to Timothy, &c
in

NonResid ents.

in what high termes he gives it, *I charge thee before God and the Lord Jesus Christ, who shall judge the quick and the dead at his appearing, and in his Kingdome preach the Word, be instant, &c.* mee thinkes it should make your eares to thingle, that have almost wholly neglected Preaching, both in your own Cures, & in the Cathedrals, where most of you live, *Veluti pecora, que natura prona atque ventri obedientia finxit.*

2 Tim. 4. 1.

Let me be but your remembrancer, of what hath been so solemnely and publikely vowed at Ordination and Consecration; and such a profession before many witnesses, ought to be of no light esteeme: The * exhortation to preaching before the receiving of the Order of Priesthood, the obligatory promises upon demand for it, the words of * Ordination it selfe, the solempne delivery of the Bible, with a charge to preach, this being the summe of the Office, why retaine you the name without executing of it?

* Yee are the Lords Messengers, Watchmen, Pastors, Stewards to teach, to premonish, to feed, to provide for the Lords family.

* Be thou a faithful dispenser of the Word & Sacraments

See the Booke of Ordination.

For excuses; if imployment in government be alleadged for an exemption, consider what *S. Paul* saith of himselfe, upon whom came daily the care of all the Churches, *1 Cor. 9. 16.* Yet necessity is laid upon me, and wo unto me if I

A

preach

To all Carelesse

Acts 19.9.

preach not the Gospell, and Paul aged too: if disputing and writing be produced for a dispensation, remember it was S. Pauls work also, as writing not a little, so disputing daily with the Jews and Greeks. It is recorded of S. Augustin, that he had contention with *Arrian*, *Manichæes*, *Pe'agians*, *Donat.* &c. Yet notwithstanding he did labour in a constant preaching to his last; and the like might be related of Bishop *Jewell*, Bishop *Usher*, Dr. *Willet*, *M. Perkins*, and of divers others; so that no pretence whatsoever can excuse *Non-Residents* from the performance of this function, to what dignity soever advanced, what burthen soever travelling under.

The Countrey people say of a *Non-Resident*, Oh, hee is an hardman, hee reapes where he sows not, and gathers where hee sows not, hee takes pay, but serves not in the field, feeds not the flock, but feeds upon it, preys upon it, hee seldome prays with it.

A Looking-glasse for *Non-Residents*.

Of what a shamelesse disposition are our greedy *Non-Residents* to take the profits of many Parishes, for doing little or nothing amongst them, in their own persons, let them consider what S. *Hierome* saith, *Quomodo mercedem obsequimur, & tamen operarii nequaquam sumus, fructus Ecclesie in quotidiano stipendio percipimus, & pro Ecclesia in predicatione non laboramus, pensemus quid est sine labore percipere mercedem laboris.*

Hath God given you gifts fit to teach? be not

Non-Residents.

not negligent, idle, and slothfull, be not like faithlesse Capitaines, who receive continually the Lords pay, and yet never fight the Lords battailes, let not your knowledge be wrapt up in an idle braine without practise, as *Goliaths* sword in cloth without use. If the people curse him that withdraws his corne from the market: how much more shall they be cursed who by keeping the corn of Gods Word from the Congregation of his people, bring upon themselves so fearefull a sin? Who when as they should by preaching distill on the people, as the dew upon the grasse, and as the raine upon the hearbes (like Clouds which sweate themselves to death) vanish away in vanity, like breasts without milk, and clouds without water, who when they should in the wombe of the Church, beget many children to God, deserve to be sin'd of our Governors, as the old and single men of *Rome* were by their Censors cast out, because they brought no children to the Commonweale.

Respect is due to Ministers, tis true, but not to those of whom it may be said, as our Saviour speakes of the Lilies; *Mat* 6.28. they labour not; they only are worthy of double honour,

A 2

who

M. Heiron on
Col. 4.17.

Objections of
Non-Residents
prevented.

1 Tim. 5.17.

Non-Residents.

Luke 10.7.

[illegible]

† Heb. 5. 13.

Quam maxime
e viros ducatis
propter opus ip-
sorum.

The Apostle
doth not say,
esteem them
very highly in
love, for recei-
ving the Tithes
and starving
their Substitu-
tes, but *δια το
εργου αυτων* for
their workes
sake.

The practice of Non Residents.

Job 39.15.

who are *romarites*, labourers, in the Word and Doctrine, maintenance is their due, but tis the labourer is worthy of his hire. High esteeme is their due *esse in press*, but for their works sake. What is the cause of late, the calling of Ministers hath fallen into such contempt? Is it not for not shewing themselves workemen, rightly dividing the Word of truth? What is the cause so few subject themselves to Christs Scepter? Is it not because *Non-Residents* draw not out the sword of the Spirit, (the Word) but the sword of the Magistrate, for which they never had any Commission from Christ?

Some of our carelesse *Non-Residents* have a cure of soules in one place, and live in another like fugitive Captaines forsake their Ensigne and Company at *Barwick*, and flee to *Dover*: who being with *Jonah* commanded for *Nineveh*, flee to *Tarsbiss*, being placed in the Countrey, they run to the Cathedrals, they leave their charge, as the *Ostrich* doth her eggs in the earth and sands, forgetting that either the foot may crush them, or that the wild beast may breake them, or at the best they leave their Congregations, as the *Cuckow* doth her eggs to be

To all Carelesse

be hatched of a *Sparrow* or some other bird: Is their unnecessary absence excused because their places are supplied? What then is the election of Ministers, but a scorn and mockerie (as *Dominicus Soto* speaketh, writing hereof at large) if a man may take a Benefice, and discharge it by another man? and seeing Christ sendeth them as labourers, teachers, not ordainers of labourers and teachers in their places, what is it as *Parisiensis* speaketh, writing much to this purpose, but as if a man should marry a woman, under hope to obaine issue of her, but by another man? What is this but a crosse practise of the Samaritan, and of Christ: of whom the former, did not commit the care of the wounded man to his Inne-keeper, till he was to depart himself; the Lord did not commit his sheep to *Peter*, nor his mother to *John*, till he was now ready to commit his soule to God, and his body to the ground, as *Alphonfus de Castro* discoursing hereof at large speaketh.

If *Non-Residents* shall still thinke that their Curats presence can excuse their absence, then let them go to the Prophet *Ezekiel*, & put their fingers in the print of the Prophets speech, that they may not still be unfaithfull, but beleeve

Substitutes can
not excuse
carelesse or
Residents.

Not.

De vitis, c. 22.

Luk. 10. 35.

*Ioh. 21. 15.
Ioh. 19. 26.*

To all Carelesse

Ezek 44 8.

that it fully concerneth them. *You have not kept the charge of my holy things (saith the Lord God) but ye have set keepers of my charge in my Sanctuary for your selves.* Thus doth the Lord plainly reprove them, for substituting others under them; and therefore they may justly feare that, which *Claudius Espenceus* a Papist, is bold to write, which I am even afraid to speake, that God shall serve them hereafter, as they serve him now; they shall be saved by their Vicars, but damned in their own persons.

*Ipsē ipse inquam
ovem perditam
quaesivit, &c.
Damasius Ep. 4.*

Humbly therefore I beseech our carelesse *Non-Residents* (if there be any place for beseeching left) that the comādemēt of Gods Word might move them, which willet them to look to their callings, and abide in them; who * himselfe came to seeke the lost sheep, and finding it put it upon his shoulders, and himselfe brought it home. Let the example of the *Levites*, and all good Overseers excite them; Let the sight of those of the Romish Clergy in every corner, who travell sea and land to make their Prosclites, whet their resolutions to be more industrious; let the ignorance of the people, and dread to murder their soules, which Christ hath purchased with his

own

Non-Residents.

own blood provoke them. Yea let the care of their own quiet, and the peace of their owne Consciences, which shall grievously torment the negligent Pastors in hell, enjoyne them, and let the assured perswasion of Gods goodnesse, who hath promised, to honour those that honour him; constraime them, to redresse all unfaithfulnesse, and to take heed to the Ministry which they have received in the Lord, that they fulfill it: Col. 4 17.

A PRAYER.

Now thou that art the good and faithfull Shepheard of Israel, be mercifull unto all our carelesse Non-Residents, and give unto them increase of Knowledge, give them Faithfulnesse, give them Zeale, that they may teach thy people in thy truth; and Reforme, or remove those Ministers, that either for Ignorance cannot, or for Negligence will not, or for Fearfulnesse dare not, or for Wickednesse and Ungodlinesse ought not to Preach thy Word; that true Pastors being placed in among thy People, which may feed them with Knowledge and Understanding, thy Church may grow up in perfect beauty to the glory of thy Name, Amen.
And let this be the Prayer of all faithfull people, and of men

Thy most unworthy servant

JOHN BLAXTON.

G R E G. lib. 4. Epist. 8.

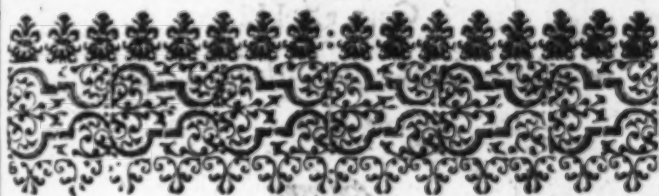
Sacerdotum nomina accepimus, non
ad quietem sed ad laborem, ut inveni-
amur in opere quod signamur in nomine.

W^ee have received the names of
Priests, not to rest, but to labour, that
we may be found in work, that which we
are sealed in name.



Errata.

Page 3. line 5. f. that have r. that they have. l. 10 f. *Armenianisme*, r. *Armi-
nianisme* p. 12 l. 18 f. *albreed*, r. *allowed*. p. 15 l. 11 f. *exalteth*, r. *exalteth*,
l. 15 r. *frame* p. 32 l. 24 r. *receive* p. 33 l. 12 f. *or* of p. 34 l. 11. *raised* l. 26 r.
desire to be *Magistrates* p. 36 l. 4 r. *it* p. 37 l. 5 r. *had* l. 18 r. *had* be, p. 47 l. 8 r.
denegarcna.



A REMONSTRANCE Against Non-Residents.

CHAP. I.

Non-Residency described.

Answer.

IT is an ordinary absence of the Minister from his charge: namely, from that particular Congregation committed unto him.

They that ordinarily reside not upon their Cures are not Pastors, for a Pastor is he that resides upon his cure, and takes care of the people to instruct them in the knowledge and feare of God, and recalls them when they go astray, and comforts them in perplexities of conscience.

B

CHAP.

M. Perkins Vol.
1. pag. 55.

Bishop Lake, on
Ephes. 4. v. 11.
*Pastoris nomen
significat personam
affectionem
sicut nomen
medici, Mal-
donat, ex Hier.
& August.*

CHAP. II.

In what cases the Minister is permitted to be absent.

Answer.

M. Perkins ut
supra illud nove-
rit dilectio co-
stra, nunquam
me absentem su-
isse licentiosa li-
bertate, sed ne-
cessaria servitu-
te, Aust. Epist.
138.

Amb. 1.5. and
27. Epist. to Va-
lentinian the
Emper. for.

First, Sicknesse: The Councell of *Mentz*. 25. *Can.* If a Bishop be not at home, or be sick, or upon some exigent cannot be present at his Parish, let him procure one, who upon Sabbaths and Festivall dayes, will preach unto his charge, and *Aug.* testifies *Epist.* 138. that he was absent on the like occasion.

Secondly, Allowance of the Church, to be absent for a time upon some necessary and publique commodity for the same, *Col.* 1.7. *Epaphras* is their Minister, but *Cap.* 4. 12. He being absent saluted them. And *Ambrose* though hee were Bishop of *Millan*, yet went he twise Ambassador into *France*, to make agreement betwixt *Maximus* and *Valentinian*.

Thirdly, If by reason of persecution he be enforc'd to fly, and see no hope to procure the safety of his people: This made *Cyprian* to absent from *Carthage*, as he testifieth in his *Epistles*.

But from hence our *Non-residents* cannot justifie their ordinary absence from their Cures.

First, Sicknesse is not the cause of their absence, for their health serves them, to live at Cathedrals, and from hence to compasse all the Kingdome for preferments; *Esau* did never more greedily hunt after Venison, than these men after Dignities.

Second-

Secondly, nor have they Allowance from the Church to be absent from their Parsonages and Vicarages, in such manner, as they usually are; If they preach once or twice in a whole yeare in their Cures, we must beleve that have done God sufficient service and that they deserve many hundred pounds *per annu*, for these great performances.

Thirdly, nor is persecution any cause at all of their absence, for they will not be persecuted for the Truth, *Armenianisme*, *Popery*, and new *Canons*, withall the ridiculous ceremonies of the Church of *Rome*, they will as willingly swallow down, if the minds and pleasures of the High Priests be made known unto them, as they devour 2 or 3 Steeples.

• And yet these New Canons contain in them many matters contrary to the Kings Prerogative, to the fundamentall Laws

and Statutes of the Realme, to the right of Parliaments, to the Property and Liberty of the Subject, and matters tending to sedition and of dangerous consequence thereby establishing their own usurpations, justifying their Altar-worship, and those other Superstitious Innovations, which they formerly introduced without warrant of Law. See the Remonstrance of the State of the Kingdom, pag. 13.

CHAP. III.

Arguments against carelesse Non-Residency.

1 Argument.

THAT which is not honest and of good report, is not to be practised by the Ministers of Christs Gospel: For the Scripture teacheth us, that we should do such things as are honest and of good report, providing for honest things, not only before God, but also before men, abstaining from all shewes of evill.

Proposit.

Phil. 4. 8.
Rom. 12. 17.
1 Thel. 5. 22.

Assumpt.

But this carelesse *Non-Residency*, as it is practised by our lazy Cathedrall Priests, and other *Non-Residents*, is neither honest nor of good report: *Ergo*, I prove the Assumption,

First, by Scripture.

Secondly, by Councils.

Thirdly, by the Canon Law.

Fourthly, by the testimony of learned Bishops, and judicious Divines.

First, by Scripture, Ezek 3.18. Ier. 48.10. *Cursed be he that doth the work of the Lord negligently.* Esa 62. 6. *I have set watchmen upon thy wals, O Ierusalem, which all the day and all the night continually shall not cease: Ye that are mindfull of the Lord keep not silence, and give him no rest, till he repaire, and till he set up Ierusalem the praise of the World.* Acts 20.28. &c. *Take heed therefore unto your selves, and to all the flock, whereof the Holy Ghost hath made you Overseers, to feed the Church of God, which he hath purchased with his own blood: for I know this, that after my departing, shall grievous Wolves enter in among you, not sparing the flock. Moreover of your selves shall men arise, speaking perverse things, to draw Disciples after them. Therefore watch and remember, that by the space of three yeares, I ceased not to warne every one night and day with teares.* 1 Pet. 5.2, 3. *Feed the flock of God which depends upon you, caring for it, not by constraint, but willingly: not for filthy lucre, but of a ready mind, not as though ye were Lords over Gods heritage, but that ye may be ensamples to the flock.*

*Non-Residency
condemned by
Councils.*

Secondly, by Councils. The Council of *Antioch*, the 17 Canon. If any Bishop by imposition of hands inducted into a charge, and appointed to governe a people,

people, do neglect to take upon him that office, and delayeth to go to the Congregation allotted unto him, such a one shall be prohibited from the Lords Table, till he be enforced to attend upon that charge, or at the least somewhat be determined by a compleate assembly of the Ministers of that Province. The Councell of *Sardice*, the 14 *Canon*. We remember that our brethren in a former assembly decreed, that if any Lay-man remaining three Sabaths or Lords-dayes, that is, three weekes in a City, did not in the same City frequent the Church assemblies, he should be excommunicated: If then such things are not allowable in Lay-men, much lesse in Ministers, for whom it is neither lawfull nor convenient, without urgent necessity, to be absent from his Parish Church longer than the time above mentioned, to this Decree there was not one *Non-placet*, but every one saith, it likes us well. The 8 Councell held at *Constantinople* in the 24 *Canon decreed*, that Ministers ought not to have their Substitutes, or Vicars, but in their own persons, with feare and chearefulness performe all such duties, as are required of them in the service of God.

The *Canon Law* doth conclude the same things. *Can. si quis vult, Distinct, 36. debem indefinenter, &c.* The Bishop (saith the Canon) ought to be continually resident in Gods Tabernacle, that they may learne somewhat of God; and the people of them, whilst they read often, and meditate upon Gods Word. Again, in the *Canons* intituled *Pontifices: Et si quis in Clero, Episcopos, qui Dominici gregis suscipiunt Curam, &c.* The Bishops which take upon them to feed Gods flock, ought not to depart from their duty, lest they

And by Canon Law.

lose that excellent Talent which God hath bestowed upon them, but rather strive with that one talent to get three more talents. And in the 80 *Canon* of those which are termed the *Canons of the Apostles*, there is expresse mandate, that such, whether Bishop or Senior, who attendeth not upon their office in the Church, shall forthwith be removed from that place.

The *Calcedon Councell*, *Canon 10*. Let no man be ordained Minister of two Churches, in two severall Cities, but let him remaine in that unto which he was first called: and if for vaine-glory, he shall afterward go to a greater Congregation, let him immediatly be recalled to his first charge, and in that only exercise his Ministry; but if one be called to another charge, let him simply give over the former, and have no interest in the same, &c.

But what have our most Iudicious and Reverend Bishops thought of *Non-Residency*? who have been much wiser than our selves, and have had as just occasion to looke into it: for *Non-Residency* is no new device, but an ancient sin, which hath been continually practised in all ages, and in the most famous and flourishing Nations of the World. The authority therefore of the wise and learned Fathers of the Church in former times, ought to be a great motive to sway our judgment in this point.

Doctor *Sands*, Arch-Bishop of *York*, an Exile, in the raigne of *Queen Mary*, writes thus: *The Minister is a debtor to the people committed to his charge. I am a debtor, saith the Apostle, both to Greeks and Barbarians, to learned and unlearned: the Pastor is a debtor unto his flock, to feed it so much as in him lyeth, to feed it both spiritually*
and

For this thing
look the Decree
of *Damasus*, and
the Councell of
Trent, § 9. *Can 8*

Non-Residency
condemned by
Bishops.

Bishop *Sands*
testimony, Ser-
mon 11. on *Rō.*
13. 8. pag. 87.

and Corporally: Spiritually by Life and Doctrine, corporally with hospitality according to his ability. Woe be to that Pastor that payeth not this debt: For if the flocke perish for want of food, all that perishing blood shall be required at his hands, a hard reckoning for him to answer, and a sharp punishment to sustaine for not answering.

Bishop Babington, as soone as Christ had sent away his Disciples, saith the Gospell, he departed into a Mountaine to pray; let this informe us, how dangerous the absence of the Pastor is: when Moses was absent, the Israelites fell to great and grosse Idolatry; whilst men sleep, the enemy soweth Tares, and what too muh absence of Pastors hath done of evill in England, who can tell? We are present often in the time of profit, but absent too often touching paines: the ships therfore over which the Lord hath appointed many of us, are not only troubled as this was, but almost even sunk and cast away by contrary winds of Romish charmes.

Master Philips: *Atheist* and *Non-Residents* subscribe to the generall places of Scripture, that the Word must be preached in season and out of season, that if the blind lead the blind, both shall fall into the pit of perdition; that where the vision faileth, the people perish, and that the price of soules is blood: but that he himselfe is in this danger, that taketh the fleece, yet feedeth not the sheep: or that he doth jeopard his own soule, in suffering the soules of other to famish, he will instantly and shamelesly deny, their consciences condemning them in the particular.

Master Gilpin: So long as it shall be lawfull for men,

Bishop Babington on Exod. p. 244.
Marke 6. 46.
Exod 32. 1.
Mat 13. 25.

Note.

And by Iudicious Divines.

M. Philips on Matthew 2. 1, 2 pag. 49.

Note.

M. Gilpin in his
Sermon before
King Edward
the 6, on Luke
2. 41. &c. / 124

M. Wheatly ac-
cuse for the
Covetous, p. 16

men, to have so many livings as they can get, and discharge never a one, and so long as men may have Livings to lye where they will in idlenesse far from their Cure, fattening themselves like the Divels porklings, and let a thousand soules perish, for lacke of spirituall food, God his businesse shall never be well applyed, nor his Gospell have successe in *England*.

Master *Wheatly* : Some Ministers feed themselves, and not the flock, but (contenting themselves with the name of Ministers) either through idlenesse, or disability, do seldome or never drive the sheep of Christ to the green pastures, and still waters that he hath provided for them: When a Minister having but one Living (either because he is unlearned and cannot, and slothfull and will not, be at so much paines, or else because he lies in the wind to sent out farther promotion, and so is taken up in other places about other busines) neglecteth to break the bread of life unto his people constantly and ordinarily each Sabbath day : or when a Minister taking upon himselfe more charges then one, which it is impossible for him to discharge, leaves one, (or it may be two) to the blind guidance of a simple fellow that can do nothing better than the meanest of the Parish, but read a little, and then go with them to the Ale-house for company when all is done, when, I say, such a thing as this is done, it is of all the particular unjustices, which I have named, or shall name, the most abominable to God, and ought to be so accounted also amogst men. *For the Church livings are, as it were the revenue of Jesus Christ, and his endowments, to be disposed by him : and it is his order that those should live of the Altar, not which loyter, but which labour*

labour at it; and therefore those that labour not, have no interest from him to eat of the fruits; and if they presume to do it, they fill and sat themselves with stollen and ill gotten goods, which though they taste sweet in the mouth shall prove gravell, yea wormewood, yea payson in the bowels.

And thus I have sufficiently proved my *Assumption*, that carelesse *Non-Residency*, is neither honest, nor of good report, both by authority of Scripture, as also by Councils, Canon-Law and by the testimony of learned Bishops and judicious Divines. Now since these authorities joine in one against *Non-Residency*; they who shall oppose themselves in defence thereof, had need to come well appointed with strong Arguments and sound Reasons, or else methinks we should hardly beleeve them in the meane time: the Conclusion that necessarily flows from the premises, will be this, that this carelesse *Non-Residency* ought not to be practised by the Ministers of Christs Gospell.

Let our *Non-Residents* mixe these truths with Faith, that they may receive the Divil whom they serve.

Conclusion.

2 Argument against Non-Residency.

THEY that have no assurance in themselves of their calling, nor the inward testimony of their Consciences, that they are appointed of God to labour in his Vine-yard, are no better than intruders.

But carelesse *Non-Residents* have no assurance in themselves of their calling, nor an inward testimony in their Consciences, that they are appointed of God to labour in his Vineyard.

Ergo, they are no better than intruders, and consequently, are to be cast out.

Proposit.

Assump.

Conclusion.

Mat. 25. 13.

See the forme
and manner of
consecrating
Priests and
Deacons.

Dr. Willet on
John 17. p 24.
M. Heiron. vol. 1
p. 352.

M. Hilderbrand,
on Job. 1. p. 261.

The proposition is proved by that which our Saviour saith, *Every plant which my Heavenly Father hath not planted shall be rooted out.*

And they that are ordered Deacons or Priests, have this question propounded unto them; *Do you trust that you are inwardly moved by the Holy Ghost, so take upon you this office and ministration, to serve God, for the promoting of his Glory, and the edifying of his people?* To the which every one answereth, *I trust so*: in the Iudgement therefore of our Church it is necessarily required that Ministers should have assurance in themselves of their calling.

For the Assumption, that it may be proved sufficiently, let us first consider how Ministers may have assurance in themselves of their calling, &c. and then make application of it to our *Non-Residents*.

Ministers are accertained of their calling.

First, by their gifts; for they which are deputed to the Lords service, are in some good measure inabled thereunto: as the Apostle saith, *2 Cor. 3. 6. God hath made us able Ministers of the new Testament.*

Secondly, by the employment of their gifts: if they carefully and diligently use those graces wherewith they are endued, to the edifying of Christ his Church.

Ministers can have no good assurance, that God ever called them, unless they can find that the thing that moved them to enter into that calling, was an earnest desire to do good in it: *If any man desire the office of a Bishop* (saith the Apostle, *1 Tim. 3. 1.*) *he desire a good worke.* It is true indeed, that the best of Gods servants have been at the first *Exceedingly unwilling* and

and backward; but before they have entered upon this function, they have been made by Gods Spirit marvellously willing and desirous to be employed in it: When the Prophet *Esay* (who had been a little before greatly dejected in the sense of his unworthinesse and unfitnesse to this function, *Esay* 6.5.) heard the Lord say, verse 8. *Whom shall I send? or who shall go for us? then I said, (saith he) here am I, send me*: by this property *Moses* knew them, whom God had called and fitted for the building of the Tabernacle, *Exod.* 36.2. He called *Bezaliel* and *Aholiab*, and every one whose heart stirred him up to come unto the work to do it. Yea this zealous desire to do good must be in a Minister at all times when he goeth about the Lords work: he must go to it as willingly as he goeth to his meat, when he is hungry, see the *1 Pet.* 5. 2. *2 Tim.* 2. 24. Without this willingnesse there is no reward. *Ambrose* saith, *Voluntarius Minister habet premium, coactus dispensat obsequium*: The willing Minister hath a reward, he that is forced only employed and used: for application, since therefore our carelessse *Non-Residents* either want gifts to furnish them for the Ministry or having gifts, want willingnesse to provoke them to feed the flock which by Gods providence depends upon them, since they want a good will to deale unto the people the Gospell of God, since it is not their joy to do the work of the Lord, and they do not bind themselves concionably and constantly to performe it; I must conclude, that they can never be sure of their calling, and consequently, that they deserve to be rooted out: Shame and contempt should surely pursue all those, who having received their Talent, *Nihil agunt*, do nothing:

Mat. 25. 26, 28,
30.

1 Tim. 5. 17.

M. Down on Tit.
2. 15. p. 22.

Bishop Latimer
4 Sermon before
King Edward,
p. 526.

Non-Residents
to be cast out.

for the servant that digged his talent in the earth, and employed it not, was censured by his Master, for wicked and slothfull, had his talent taken from him, and for his unprofitableness was commanded into utter darknesse, it is the Elder that Rules well, and Labours in the Word and Doctrine that is worthy of double honour: the idler deserves none at all, no not so much as single; he that will not labour must not eate: and he that will not work in the Vineyard must not looke for his peny. Yea, but they are so much employed otherways, that they have no leasure.

What? no leasure to be Ministers? Why, are they Ministers then? to feed upon the flock and not to feed it, is little better than Sacrilege: and argues a base, fordid, and contemptible mind.

But it may be our Cathedrall *Non-Residents*, suppose that the Reverend Bishops will suffer them to passe, with seene and albreed: let them therefore seriously ponder upon the words of Bishop *Latimer*, he propounds the question, whether *Non-Residents* be worthy of double honour? And thus resolves it: "They are not to be regarded, nor to be esteemed among the people, and to have no living at their hands. For as good Preachers be worthy double honor; so un-preaching Prelates be worthy double dishonour: they must be at their doublets. But now these two dishonours what be they? Our Saviour doth shew, *Si sal infatuatus fuerit et nihil ultra valet, nisi ut projiciatur foras*, If the salt be unfavoury it is good for nothing, but to be cast out and troden of men; by this salt is understood Preachers; and such as have cure of soules: What be they worthy then?

"then? Wherefore serve they? For nothing else
 "but to be cast out: Make them quondames, our
 "with them, cast them out of their office, what should
 "they do with Cure that will not look to them? an-
 "other dishonour is this, *Ut conculcentur ab hominibus*,
 "to be troden under mens feet, not to be regarded;
 "not to be esteemed: They be at their doublets still.
 "S *Paul* in his Epistle, qualifyeth a Bishop, and saith,
 "that he must be *aptus ad docendum, ad refellendum ap-*
 "*pos:* to teach and to confute all manner of false do-
 "ctrine; but what shall a man do with aptnesse, if
 "he do not use it? It were as good for us to be with-
 "out it.

3 Argument against Non-Residency.

They that neglect the grace of edification, are not
 the faithfull Ministers of Christ Iesus.

But carelesse-*Non-Residents*, neglect the grace of e-
 dification: *Ergo* they are not the faithfull Ministers of
 Christ, and consequently, should be reformed, or re-
 moved.

The proposition, I prove by the testimony of Bi-
 shop *Lake*, neither is it a bare and naked testimony,
 but it is sufficiently furnished with unanswerable Ar-
 guments, bearing down *Non-Residency* before them:
 Thus he writes, Ministers must not neglect their grace
 of edification, they must not hide their talent, consult
 with flesh and blood, be disobedient to the Heavenly
 visions; they must *araze corruption*, stirre up the grace of
 God, blow off the ashes that would over-cast it, sound

Propo^s.

Assump^t.

Bishop *Lake* on
 1 Cor. 15. 10. p.
 267.

Note.

Exhortation to
Ministers,
See D. Saunders
sermon 1 Cor.
12.7. p. 117.

1 Cor. 12.8.
Luk. 12.17.

Syn. 10. 30.

Luk. 19. 10.
Mat. 5. 15.

the Trumpet, and give timely alarmes, be instant in season and out of season; being salt, we must ever be seasoners of the world; being light, we must ever be dispelling the darkenesse of men; being Architects, we must ever be building of Gods House: being husbandmen, we must ever be labouring in Gods field: finally, being shepheards, we must ever be attending on Christs flock: so was S. Paul, so must we. Otherwise Gods grace is bestowed on us in vaine: Our Consciences cannot yeeld us this good testimony which S. Paul giveth here unto himself, it will rather challenge us of our neglect, and the grievousnes of our neglect will be answerable to the gifts which we receive from God, and God knows there is too much of this neglect of our calling in many, at whose hands God will require the bloud of many perishing soules.

Be perswaded then, all you, whom God hath made Stewards over his household, and blessed your basket and your store, to bring forth of your treasures things both new and old: Manifest the spirit God hath given you, so as may be most for the profit of your brethren. The Spirit of God, when he gave you wisdom and knowledge, intended not so much the wisdom and the knowledge of themselves, as the manifestation of them, or (as it is in the next verse) *the word of Wisdom and the word of Knowledge*: as Christ also promised his Apostles, to give them *Os & Sapientiam*, a mouth and wisdom. Alas, what is wisdom without a mouth? But alas, a pot of treasure hid in the ground, which no man is the better for. Wisdom that is hid, and a treasure that is not seen what profit is in them both? O then do not knit up your masters talent

talent in a napkin, smother not his light under a bushel, pinch not his servants of their due provision, put not up the *Manna* you have gathered till it stink, and the wormes consume it: but above all, squander not away your rich portions by riotous living. Let not either sloth, or envy, or pride, or pretended modesty, or any other thing hinc'er you, from labouring to discharge faithfully that trust and duty, which God expecteth, which the necessity of the Church challengeth, which the measure of your gifts promiseth, which the condition of your calling exalteth from you. Remember the manifestation of the spirit was given you to profit withall. And since the end of all gifts is to profit, aime most at those gifts, which will profit most, and endeavour so to freame those you have in the exercise of them, as they may be likeliest to bring profit to those that shall partake them. *Covet earnestly the best gifts*, saith the Apostle, 1 Cor. 12. 31. and you have his Comment upon that Text in the first verse of the fourteenth Chapter, *Covet spirituall gifts*, *μαλλω Ν ινα ωσεντις υμιν*, but rather that ye may Prophecy, and by prophesying, hee meaneth the instruction of the Church and People of God, in the needfull doctrines of Faith towards God, repentance from dead works, and new and holy obedience. It is one stratageme of the arch-enemy of mankind, (and when we know his works, we may the better be able to de feate him) by busying men of great and usefull parts in by-matters, and thiugs of lesser consequence, to divert them from following that *Unum necessarium*, that which should be the maine of all our endeavours, the beating down of sin, the planting of faith, and the reformation of man-

ner.

Luk. 12. 43.
Exod. 26. 10.

1 Cor. 14. 7.
Prophetas interpretes dicit Scripturatum, Amb.
Propetia, id est, donum interpretandi Scripturam
Piscat. Scol. in
1 Cor. 12. 3.
Misticum sensum ad saluam auditorum explanans, Erasm.
in Paraphras ad
1 Cor. 14:

ners. Controversies, I confesse are necessary, the Tongues necessary, Histories necessary, Philosophy and the Arts necessary, other knowledge of all sorts necessary in the Church: for truth must be maintained, Scripture perhaps opened, Heresie confuted, the mouths of Adversaries stopped, Schismes and Novelties suppressed. But when all is done, Positive and Practique Divinity is it, must bring us to Heaven, that is it, must pause our judgments, settle our consciences, direct our lives, mortifie our corruptions, encrease our graces, strengthen our comforts, save our soules: *Hoc opus hoc studium*: there is no study to this, none so wel worth the labour as this: None that can bring so much profit to others, nor therefore so much glory to God, nor therefore so much comfort to our own hearts as this. This is a faithfull saying, and these things I will that thou affirm constantly (saith Paul to Titus) that they which have beleevd in God, might be careful to maintain good works: These things are good and profitable unto men. You cannot do more good unto the Church of God, you cannot more profit the people of God, by your gifts: then by pressing effectually, these two great points, Faith and good Works; these are good and profitable unto men.

Tit 3, 8.

The Assumption, viz. that carelesse *Non-Residents* neglect the grace of Edification, is found too true by experience;

For first, they absent themselves from their Cures.

Secondly, if you hunt these Foxes to their Dennes, to their Cathedrals, there they preach not above once or twice in a yeare, nay they are so far from preaching themselves, that they discountenance, all faithfull

Prea-

Preachers in the places where they be resident, and upon the Lords day in the after-noones, they will not go to the Assemblies of the Saints, where they may heare Gods Word, but content themselves with Prayers in their Cathedrals; Yea if there be power in their hands, they will suspend such faithfull Ministers, as breake unto the people the bread of life, though they themselves are not worthy to be named with them the same day.

I must therefore conclude, that they are not the faithfull Ministers of Christ Iesus, and humbly I beseech God, to put it into the heart of his Majesty, and the great Counsell of State assembled in the High Court of Parliament, to endeavour their reformation, and if they will not be reformed, to remove them.

Amen.

4 *Argument against Non-Residency.*

THEY that by the use of all good meanes, do not seek to preserve the credit and estimation of their persons in the hearts of Gods people, deserve not the name of Christs Ministers. Proposit.

But *Non-Residents* do not by the use of good meanes, seek to preserve the credit and estimation of their persons, in the hearts of Gods people. Assumpt.

Ergo; they deserve not the name of Christs Ministers, and consequently, ought to be removed.

The proposition is proved by the 1 Tim. 4. 12. *Let no man despise thy youth,* and Tit 2. 15. *See that no man despise thee,* It is therefore the bounden duty of Gods Mini-

How Ministers
may maintaine
their estimation
in the hearts of
the people.

1 Meanes.

Ministers to labour to maintain their credit; for if they lose their reverence and estimation in the hearts of Gods people, their doctrine will do them no good.

The Assumption will be easily proved, if we take into our consideration the meanes chalked out unto us by Gods Word, whereby we may maintaine our estimation in the hearts of the people, and I find in Gods Word three speciall meanes, whereby this may be done.

First, by our diligence and care to teach profitably, that is the chiefe thing that will procure us reverence and estimation, if we do our work well, *1 Theß. 5. 13. Have them in singular love for their works sake*, this is that, that the Apostle teacheth, *2 Tim. 2. 15. Study to shew thy selfe approved unto God, a workman that needeth not to be ashamed, dividing the Word of God aright.* And *1 Tim. 4.* having charged *Timothy* verse 2, to looke to it, that no man despise his youth: he telleth him by what meanes he may preserve his person and Ministry from contempt and disdain, *verse 13. and standeth principally upon this, give attendance to reading, to exhortation, and to doctrine: Verse 14. Despise not the gift that is in thee: but stirre it up, and seek to increase it: and addeth Verse 15. These things exercise, and give thy selfe unto them, that it may be seene how thou profiteest amongst all men.* If this care and conscience be in us, we shall be sure to have honour, though Satan and all the World should conspire to disgrace us, *a Prophet* (a true and faithfull Prophet he meanes) *is not without honour, Mat. 13. 57. Mar. 6. 4.* If this be wanting, no wealth, no titles, no hospitality, no good-works we can do, will be able to preserve us from contempt.

The

The second Meanes, is by our faithfulness in our Ministry: this differeth from the former, for a man may be a diligent and very sufficient Teacher, and yet not faithfull in his Ministry. This is faithfulness, when we are carefull to deliver the whole counsell of God to his people, not concealing any part of it for favour, or feare of any man, *Jer. 23. 28. He that hath my Word, let him speake my Word faithfully. 1 Cor. 4. 2. It is required of Gods Stewards, that every man be found faithfull. 2 Tim. 2. 2. What things thou hast heard of me, the same deliver to faithful men which shall be able to teach others.* This hath great force to procure us reverence in the hearts of all men. When the Pharises would give a reason of the reverence they pretended to beare to our Saviour, they give this, *Math. 22. 16. Master, we know that thou art true, and teachest the way of God truly, neither carest for any man; for thou considerest not the person of a man.* And when the Apostle chargeth *Titus* to looke to it, that no man despise him, he prescribeth him this way, to keep himselfe from contempt, *Tit. 2. 15. These things speake and exhort, and rebuke, with all authority, see that no man despise thee.* *Titus* might have said, this was a strange direction; this is the way rather to procure us the contempt and hatred of all men, if we shall not only teach such particular duties as he hath mentioned before, but apply them also so particularly, by exhorting and rebuking men specially, if we do it with authority and boldnesse, as thou speakest of. No (saith the Apostle) feare it not, this will gain thee estimation and honor in the hearts of men, yea, of all men: yea, even of them that were most offended with thee for thy faithfulness,

a Meanes.
Vide M Hilder-
sham on Ioh. 4.
p 367.

fulnesse, if they belong to God: And this is that, that Salomon saith, *Prov. 28. 23. He that rebuketh a man shall finde more favour at the length, than he that flattereth with his tongue.*

3 Meanes.

The third and last Meanes we are to use and maintaine our honour and estimation in the hearts of Gods people, is to make our selves an example and patterne to them, in all the duties of holinesse towards God, and righteousnesse towards men: and to shew care of this, not in our selves only, but in all that are of our family also. This direction is given, *Tit. 1. 6. he must be unreproueable; and not so only, but his children also must be faithfull, not scandalous for riot, neither disobedient.* See the great force that this hath to gaine reverence to our persons and Ministry, in two examples, *1 Tim. 4. 12. Let no man despise thy youth, but be unto them that beleeve, an example in word, in conversation, in love, in spirit, in Faith and in purenesse.* The other is in *John Baptist*; see what honour the holinesse of his life did gaine him with all men, *Mar. 6. 20. Herod revered John, because he knew him to be a just man and a holy.*

Application.

Now to apply this to our *Non-Residents*, they do not carefully use these meanes to preserve the credit and estimation of their persons in the hearts of the people.

Ergo, they deserve not the name of Christs Ministers, and consequently, should be removed.

5 Arguments

5 Argument against Non-Residents.

THe faithfull Ministers of Christ Iesus must labour to be fruitfull and profitable in their Ministry.

But carelesse *Non-Residents*, do not labour to be fruitfull and profitable in their Ministry:

Ergo, they are not the Faithfull Ministers of Christ.

I prove the Proposition by 4 reasons:

First, God hath placed us in this calling, and given us the gifts we have to this end; *Even for the perfecting of the Saints, and for the edifying of the body of Christ*, Ephes 4.8.12. *The manifestation of the spirit is given to every man to profit withall*, 1 Cor. 12.7.

Secondly, every man should count it his misery to be unprofitable, it is noted for a great part of the misery of our estate by nature, *that we are altogether unprofitable*, Rom. 3. 12. How much more a Minister? *Matth. 21.30. Cast yee the unprofitable servant into utter darknesse, there shall be weeping and gnashing of teeth.*

Thirdly, Nothing will yeeld us that comfort in life or death, as this; not all the wealth wee have gathered, nor the credit and applause we have had, *1 Theß. 2.19. They whom he had won to God were his hope, and joy, and crown of rejoicing.*

Fourthly, this is the chiefe thing that will assure us, that God hath indeed called us to be Ministers of his Gospell, and approveth of our Ministry, when we are fruitfull, when the Porter (the Holy Ghost) appeareth

Propos.

Assumpt.

See M. Hilder-
sham on Iohn,
4 pag. 289.

unto us, and giveth entrance unto our Ministry in the hearts of the people, *John 10. 3.* as we know he did to *Pauls* Ministry in the heart of *Lydia*, *Acts 16. 14* We have heard all the Ministers of the new Testament are called Reapers. The servants to whom God committed his talents, if they were good and faithfull servants, gained somewhat to their Master, *Mat. 25. 23* Thus *Paul* approveth himselfe to be an able Minister of the Gospell, the *Corinthians* that were converted by his Ministry, were his letters of commendation written in his heart (yeelding him much inward comfort and assurance of his calling) and also known and read of all men, such an evidence of his calling, as was apparent unto all men, *2 Cor. 3. 2.* This he calls the very scale of his Apostleship, *1 Cor. 9. 2.*

Non-Residents
labour not to be
fruitfull and
profitable in
their Ministry,
proved by six
Reasons:

The Assumption, *viz.* that *Non-Residents* do not labour to be fruitfull and profitable in their Ministry, I thus prove:

First, because they are not diligent and painefull, both in study and in preaching. Give attendance to Reading, to Exhortation, to Doctrine; neglect not the gift that is in thee, but both by diligence in Study and in Preaching, labour to stirre it up, and increase it, saith the Apostle unto *Timothy*, *1 Tim. 4. 13. 14.* But this blessed Counsell of the Apostle they disrespect, as is manifest to all men, *Ergo.*

Secondly, when they do teach (which is but sel-dome, they teach that (wherein they themselves may shew most learning or eloquence) not which may be most profitable, and of use to them that are committed to their charge. Contrary to *Tit. 2. 1.* and *3. 8.*

Thirdly,

Thirdly, they do not apply their Doctrines to the present estate and condition of their hearers, as they are commanded, *2 Tim. 4. 2.*

Fourthly, they do not take heed to their lives, as they are required, *1 Tim. 4. 16.* for they swell with pride, and are unsatiably addicted to outward things, reaping most greedily, where they sow sparingly.

Fifthly, they are not earnest with God in Prayer, that he would make their Ministry fruitfull, as *Paul* was, *Ephes. 3. 14.* they were never acquainted with fervency in Prayer, and therefore in stead of praying, they say, *Let us pray for,* &c.

Finally, they do not enquire for fruit, and deale with their people in private, to see how they profit by their labours, as did our Saviour with his hearers, *Mat. 13. 51.* And the Apostle, *Acts 20. 20.* who did not only teach publikely, but from house to house. And indeed how can they do thus, since they visite their Congregations but once or twice in the yeare, and then having gathered up the profits of their Livings, they speedily returne to their Dennes of idlenesse, that they may consume the same in riotous living?

I conclude therefore, that they are not the faithfull Ministers of Christ, and consequently, that they ought to be reformed, or removed. *Faxit Deus.*

5 Argument against Non-Residency.

Proposition.

ALL Faithfull Ministers of Christ Iesus are, and must be painefull and laborious in their Ministeri-
all function.

Assumption.

But *Non-residents* are not painefull and laborious in their Ministeriall function.

Conclusion.

Ergo, they are not the Faithfull Ministers of Christ Iesus.

I prove the Proposition;

Luke 4.16.31.

Acts 17.2.1.4.

Iustin Martyr,
Apol. 2.

Tertull. Apol.
39.

Eum in populo
verbum verita-
tis esse trahan-
tem omni die

Dominico audiebam, August. Confess. lib. 6. cap. 3.

First, That they are laborious in their Ministry, the examples of Christ, his Apostles, Prophets, Euangelists, Bishops and Martyrs of the purest time, do abundantly prove: It was Christs custome to enter in their Synagogues on the Sabbath dayes, and to read and expound the Scriptures to the people. It was *S. Pauls* manner to reason in the Synagogues, and to open the Scriptures on the Sabbath dayes. Vpon Sunday (saith *Iustin Martyr*) all the Christians that are in the Cities or Countries about, meet together, and after some Commentaries of the Apostles, and writing of the Prophets have been read, the Senior or President doth by a Sermon exhort the people, and admonish them to the imitation and practise of those Divine truths, which they had heard and read unto them.

And Saint *Austen* telleth us of *Ambrose* that he heard him rightly handling the Word of God unto the people every Lords day.

Yea

Yea it should seeme by the Homilies of Saint *Chrysostome* that hee did oftentimes preach daily unto the people, and therefore wee frequently meet with his *2^d*, yesterday this and this I taught you, and *Origen* intimateth this frequency of expounding the Scriptures in his time, if saith hee, you come frequently unto the Church of God, and there attend unto the Sacred Scriptures and to the explication of those heavenly Commandements, thy soule will be strengthened, as thy body with food. I will close this point with the assertion and profession of holy *Austen*, that hee was never absent from his *Episcopall* service and attendance, upon any licentious and assumed liberty, but onely upon some other necessary service of the Church.

Secondly as faithfull Ministers are painfull in their ministry, so they must be painfull and laborious. There are no names given unto Ministers, but they are words of employment and of labour. For preaching comes of *Præco*, to be a proclaimer in the market place; so are they called Trumpeters, for that they must blow the silver Trumpet of the Lords word, that it may sound and ring in the eares of the people, Cryers, so as they must be no tongue tyed fellows, for they are no fitter for this office, then is a blind man to be a Pilot, they must be as Shepherds, which in *Juda* were faine to watch all night to preserve their flocks from Wolves: Watchmen, who must take heed, least through their sloth the Fort be surprized. Embassadors having a great message to deliver from the King of Heaven: Angels, as *Christ* is called the Angell of the great Covenant: and *Revel. 3*. Write unto the Angell: that is, the Minister of such a Church: workemen because they

E

be

*Si ad Eschiam
frequenter veni-
as, autem di-
vini literis ad-
moveas, expla-
nationem man-
datazorum Cate-
chism capias, si-
cut cibis caro, ita
spiritus verbis
divinis corva-
lescet* *Origen.*
*Hom. 9. in Le-
vit.*

*Illud naverit
discipulo vestra,
nunquam me
absentem fuisse,
licentiosâ liber-
tate, sed neces-
sariâ servitute.*
Aug. Epist.
138.

Esa. 58. 1.

*Esa. 4. 11.
Ezek. 34. 10.
1 Pet. 5. 4.*

Ephes. 5. 20.

*Revel. 3.
2 Tim. 2. 15.*

1 Cor. 3. 10.

1 Pet. 4. 10.

Ephes. 3. 10.

1 Cor. 4. 3.

Mat. 5. 14.

Mat. 5. 13

1 Cor. 3. 19.

Heb. 13. 17.

be builders of mens consciences: Stewards, to provide meat for the Lords inheritance: we are Stewards of no meaner a gift than the grace of God, and the wisdom of God, that grace which by Saint *Peter* is called *ποικίλη* a manifold grace: and that wisdom which by Saint *Paul* is called *ποικίλια* the manifold wisdom of God: We are the depositaries and dispensers of the most precious treasures which were ever opened unto the sonnes of men, the incorruptible and precious blood of *Christ*, the exceeding great and precious promises of the Gospell, the word of the grace of God, and of the unsearchable riches of *Christ*. Now it is required of Stewards that a man be found faithfull, that he defraud not *Christ* of his purchase, which is the soules of men, nor men of their price and Priviledge, which is the blood of *Christ*: that hee neither favour the sinnes of men, nor dissemble the truth of God. Ministers are the light of the world, and therefore their duty is to shine forth by heavenly Doctrine to enlighten Gods people; they are the salt of the Earth, and therefore their duty is to season with wholesome Doctrine, the weake soules that bend to corruption, they are builders and therefore must edifie the body of *Christ*, the house of God. They are Captaines, and therefore it is their part to fight Gods battailes: and as good Leaders and Chieftaines to instruct Gods people well in this spirituall warfare. In Saint *Pauls* time it was a curse of damnation not to preach: which cannot be appropriated to *Paul* himselfe, it being a duty required of all that labour in *Christs* Vineyard, and 2 *Tim.* 4. 2. He adjureth *Timothy* to preach instantly: so that as *John* as the forerunner, and *Timothy* as

an

an *Evangelist*, were to preach with vehemency, so are we as Pastors to crie the same crie : for it never yet pierced deep enough, nor entred farre enough to make men watchfull over their lives. The assumption is too true, the Conclusion therefore must of necessity bee yeelded unto, *viz.* that *Non-residents* are not the faithfull Ministers of *Christ*, and consequently, that they ought to be removed.

CHAP. IV.

Answereth the Objections made by Non-residents for the maintenance of their idlenesse.

Obje. 1. **T**Hough *Non-residents* bee ordinarily absent from their people, yet there is no place of Scripture expressely condemning *Non-residency* as a sin.

Answer. We have the authority of Gods Commandement, *Acts* 20. 28. binding all Pastors carefully to attend unto the flocks, of which the *Holy Ghost* hath made them *Overseers* : and this not at the quarter or halfe yeeres day, to gather in the profits and to feed themselves, but to feed the flock, the Church of God which *Christ* hath purchased with his blood. I would know whether this precept requireth the personall presence of the Pastor or no ? if any man say, that hee is as good as present in his sufficient substitute : I answer, that the most doe not prove it so sufficiently, but some rakeshame of men, some *Feroboams* Priest of the basest of the people, that cannot tell otherwayes what to do with himselfe. But if they did; the Text is not satisfi-

Obje. 1.

Answer.
See Doctor
Taylor on Titus
pag. 727.

Non-Residents
would bee excused by their
substitutes,

But may not
be excused by
hem for three
Reasons.

For three Reasons.

1. R.

Prov. 27. 23.

2. R.
Heb. 23. 17.

3. R.

Heb. 23. 17.

1. Pet. 5. 4.

fied, which requireth his owne attendance, neither injoyneth a Pastor to see his people fed, but to feed them. I would further here demand, whether that Commandement given to *Archypus*, belong not to all the Pastors of the *New Testament*, Take heed to the Ministry that thou hast received in the Lord, that thou fulfill it? which if it doe (as no forthead can deny it) then with what face can any man take a Ministry upon him that another may fulfill it; the like commandement is given by *Salomon*, be diligent to know the state of thy flock, and take heed to thy heards: which not obscurely implyeth the presence of the Pastor, who must not only teach, but teach aptly, and apply not onely true, but fit Doctrine according to the state and condition of his people.

Secondly, the excellency of the *Object* tieth the Pastor, to more than ordinary attendance: his calling is to watch over mens soules: were it but to watch over mens bodies and goods, it were no lesse then capitall, for any man to leave his station at his owne pleasure wherein his Captaine hath set him: and how can this unfaithfulness in them who are set in the Lords watch Towers, but be by so much the more perilous then the other, by how much the soule is more precious then the body, and the losse of the soule infinitely surpassing the losse of the body?

Thirdly, the straitnesse of the account that is to be made for the people, cannot but bind him that hath any conscience left in him to ordinary residence, and attendance in his owne person, hence the Apostle to the *Hebrewes* saith, *They watch over mens soules as they that must give account.* And the Apostle *Peter* wisheth them

so

so to feede the flocke depending upon them, that when the chiefe *Sheepheard* shall appeare, they may give up their accounts with joy.

Now with what joy can hee give up his accounts, who with the hireling hath left his people to the Wolf: who never knew their estate, who never came but as a stranger amongst them: never or seldome knowne by voyce unto them: yea scarce knowne by face to many of them: *That which will dye let it die, Zachar 11. 9.* He is none of his brothers keeper, slender is that account which that Captaine can make to his Prince, who having received his pay to guide and traine such a number of Souldiers, leaveth them in the plaine field to the spoile and violence of the enemy: or at the best, setteth a base fellow over them, fitter to guide cattell than to traine men up to such services; such another account must needs here be given up, but neither of them will goe for payment.

Fourthly the love of *Christ* were it present, would constraine Ministers to feede his sheepe: *Peter* saith *Christ, lovest thou mee? feede my sheepe*: were there love to the flocke, it would not suffer them to runne into ruines, nor to fall awry from their zeale, faith, vertue: neither should the Pastors absence open the doore to Wolves and deceivers, to *Priests* and *Jesuits*, who in such places have free scope to poyson and destroy. Were faith present to rule the heart, it would extinguish the drought of the world, and would bee working by love towards *Christ*, and his people, accounting obedience to God above thousands of gold and silver. If true contentation were there, such an appearance of evil would be avoided as Covetousnesse is, which is a

*Negligenter pa-
lens convinci-
tur non amare
summum Palle-
rem, Damal.
Epist. 4.*

*Non-Residents
want*

1 Love.

2 Faith.

3 Contented-
nesse.

4. Humility.

5. Fidelity.

6. Equity and
Iustice.

Note.

7. Right rea-
son.

filthy vice wheresoever, but especially in a Minister, who is as the eye in the body, wherein such a blemish or rather such a beame is not more perspicuous then scandalous: and yet is the root, as of all evill, so of this ordinary *Non-residency*. If true humility were present, it would not suffer the impostume of pride to grow upon a man by multiplying of livings: which experience teacheth, to be like a collection of many bad humours into one member, which make it to swell above the just proportion of the other members. If fidelity tooke place, hee would bee diligent to till the Lords field as he hath promised; he would as a faithfull Steward be providing necessaries (not for his owne) but for Gods family: as a good Physitian he would be ministering to the sicke and diseased soules, he would bee binding up the broken spirits, he would be seeking and saving that which is lost, yea he would goe before the Sheepe of Christ and lead them in and out: for all this he hath promised before God and his people, and undertaken it in his owne person. If Equitie and Iustice ruled him, he could not suffer the people who sow carnall things unto him, not to reape spirituall from him; he could not take so much wages of God, and doe him so little worke for it: hee could not receive his pay, and flie from the bartaile: hee could not so greedily eat the milke of the flocke, and give them little or no food: hee could not so wrongfully keepe backe the hire of the labourers, who reape the Lords fields, neither could he live of that Altar which he doth not serve, 2 Cor. 9. 13. Lastly, if right reason ruled him he would easily discern what unnaturall and monstrous thing it were, that either sundry bodies and congregations

congregations should have but one eye, or else that
 this eye should be ordinarily and for most part many
 miles distant from the body. Right reason would
 also shew him how impossible a thing it is, for one
 Shepheard to keepe more flockes then one: how un-
 reasonable a thing it is, for any man to performe ser-
 vice in one place, and take wages in another, what a
 shamefull thing it were, to marrie a wife in hope to
 beget children by another mans help: what an equall
 thing it is, that he doth not his duty in his owne per-
 son, but by a Deputy, should also goe to heaven by
 a Deputy, but not in his owne person: as merrily and
 wittily, *Iodicus a famous french Preacher*, witnessed by
Espencers: from all which I may conclude this reason
 with the words of a *Papist*, that seeing neither nature
 is the principle or ground of *Non-residence*: for that
 is contented with a little: nor yet grace, which is
 contented with lesse, therefore the corruption of the
 heart of man is the chiefe counsellour and perswader
 unto it, neither is his reason to bee neglected: for
 though a man (saith he) dare live a *Non-resident*, yet
 would he not willingly die one, and as for the matter
 of Substitution whereon the whole frame of *Non-re-*
sidence is set, as on a foundation: he saith, hee seeth
 not why one man might not have as well an hundred
 livings, as one by this plea, for he might get substi-
 tutes enough: neither doth he see any reason but wo-
 men might also be capable of Church livings (by this
 plea) as well as men, for they also might performe
 the duties by Substitutes. But I remit the Reader to
 the Author, as also to other of our later Divines who
 have largely and learnedly handled the same argu-
 ment.

Penale. 2. Tom.
traB. 4. in armis
part. 2. cap. 11.

Note

Doctor Miller
in 1 Sam. cap.
14. ver. 18.

Though

Objection 2.

THough we preach but seldome, and are seldome seene in our severall Congregations, yet when we we doe preach amongst them, our Sermons are full of learning, even to the admiration of our hearers, the sermons usually preached in the Country are but like our ordinary communications, but our Sermons are stult with all manner of learning, we have abundance of quotations and allegations out of Fathers, Schoolemen and other learning, which no question edifies much, and therefore we may be the better borne with, and ought not to bee accused of idlenesse, though wee preach but once or twice in a yeare.

Answer.

Mr. Downe on
Tit. 2. ver. 15.

Let *Non-Residents* know, that they justly displease good men, because they propound to themselves, not Gods glory, or the edification of the Church, but their owne praise and applause. To what end else is this vaine ostentation, of Wit, Eloquence, Reading, and all variety of learning? wherein first they prevaricate with *Christ*, pretending to wooe the soules of men unto *Christ*, but indeed intending to win reputation to themselves.

Secondly, they faile the hope and expectation of their brethren, who repairing to them for instruction, received no more benefit by their Sermons, than *Calicula's* guests did by his golden banquet, which onely delighted the eye, but neither pleased the palate, nor satisfied the stomack. VVise and wholsome is the Counsell of Saint *Hierome*, when thou teachest in the Church, *non clamor populi sed gemitus suscitetur*, stirre you up not the applause but the grones of the people, *Lachryma audientium laudes tuae sint*, let the teares of thy auditory be thy praises, if thou canst with *Peter* pricke the

Acts 2. 37.

the people at the heart, and make them say, *Men and Brethren what shall we doe?* if by discoursing of righteoulnesse, Temperance and Iudgement to come, thou canst make *Felix* tremble, thou shalt both glorifie God, and procure honour unto thy selfe. But if neglecting the glory of God, thou ayme at nothing but thine owne prayse and commendation: God will sure powre downe contempt upon thee, for his mouth hath spoken it, *Them that honour mee will I honour, and they that despise mee shall be lightly esteemed.*

Ages 24. 25.

1 Sam. 2. 30.

Good Lessons
to: Ministers.

Bishop Lake.

Our carelesse *Non-Residents* should from Schoole-masters learne a point or discretion; they range their Schollers into Formes, and though themselves bee never so learned, yet they read unto their severall Formes, no deeper points than they are capeable of: if they should doe otherwise, well might they shew their learning, they would shew no discretion, neither would the Schollars be the better for that which they should teach them: and let these men remember that it concernes them so to distinguish their auditors.

Some learned Divines will not use the Latine or the Greeke tongue, when their hearers have not Latine or Greeke eares: and they will content themselves with the delivery of GODS word, because their Auditors are content to take GODS bare word, without any further band or Testimony: and may not *Non-Residents*, preaching in a Country Parish, imitate such a worthy Divine as this?

Master Harris
Abrahams fune-
rall Epist.

They say a plaine Sermon is but like their ordinary Communication, their meaning is, when they are in a good mood that is not to bee understood, of all

times, and in all places, for to my knowledge, they usually rayle upon faithfull *Ministers* when they are at their Tables, at their Dice, and in their conference with their idle companions, but let these *Cathedrall Non-Residents* know, that there be many *Ministers* in the Country, that preach twice upon the Lords day constantly, and keepe also a *Lecture* upon a weeke day, and if their Sermons bee weighed in the balance of the *Sanctuary*, they will every one of them excell in worth those Sermons that they bring with them into the Country: such as effect nothing else but quaint and curious phrases, or are unmeasurable in their allegations out of all Authors, both *Ecclesiasticall* and prophane, or sore aloft in unnecessary speculations farre above the capacity of their auditors, these over doe, & *magno conatu magnas nugas*, take great paines, and eviscerate themselves, as it were, to weave a webbe, which when it is ended, is fit for no other use, but onely as an unprofitable thing to be swept away.

Object. 3.

THough we be *Non-Residents*, yet wee have done God good service executing the office of Magistrates, and if we might still bee Magistrates, wee would cut downe sinne and iniquity with the sword of *Justice*.

Answer.

Hee is of a shamelesse forehead that will denie your desire to Magistrates, how did they struggle for the sword of *Justice* at *Salisbury*? enquire of the Citizens, and they will tell you, but it is unlawfull for *Ministers* of the *Gospel* to be Magistrates: this appeareth by the words of our *Saviour* expressly forbidding

ding his *Apostles* to be Rulers of *Nations*, and leaving it to *Princes*, the *Kings* of *Nations* rule over (their people) and they that bee great ones, exercise authority, with you it shall not be so: that is, you shall neither beare rule, nor exercise authority over your brethren.

Mat. 10. and
Mark. 10.

Object. The word is κατακυριεύει: they over-rule their Subjects with injustice and violence; you shall not doe so.

Bishop Bilson
of Christian
Subjection pag.
174.

Answer, Christ in that place doth not traduce the power of *Princes* as unjust or outrageous, but distinguisheth the calling of his *Apostles* from the manner of Regiment, which God hath allowed the Magistrate: Christ saith not *Princes* be Tyrants, you shall deale more courteously than they doe: but hee saith *Princes* be Lords and Rulers over their people, by Gods Ordinance you shall not be so: againe the word which Saint *Luke* hath, is υπερυψει without any composition. They be Lords and Masters: and Saint *Paul* confesseth of himselfe and other *Apostles* οτι εστι κυριεύοντες υμων της πίστεως not that wee be Lords or Masters of your Faith, yea the Compound κατακυριεύει is with power and force to rule men whether they will or no, not with wrong and injurie to oppresse them: and therefore the conclusion is inevitable, that *Princes* may lawfully compell and punish their Subjects which Bishops may not.

Luk. 22.

2 Cor. 1.

This distinction betweene them is evident by their severall Commissions which God hath signed: the *Prince*, not the *Priest*; beareth the sword; Ergo the *Prince*, not the *Priest* is Gods Minister to revenge Malefactors: *Peter* himselfe was sharply rebuked by

Rom. 13.
Mat. 23.

1 Tim. 3. and
Tit. 1.
Mat. 24.
2 Tim. 2.

2 Tim. 3. & 4.
See Bishop
Lake on
page 408.
Exod. 19.
Bishop Smith
his Sermons
pag. 236.
Doctor Willet
in Rom. page
613.

Christ for using the sword, and in *Peter* all *Pastors* and *Bishops* are straitly charged not to meddle with it: *All that take the sword shall perish with the sword*: and of all men a *Bishop* must be no striker: for hee that should feed his Masters household fall to striking, *hee shall have his portion with Hypocrites*. The servants of God must be gentle towards all, instructing those that resist, with mildnesse, not compelling any with sharpnesse: their function is limited to the preaching of the word, and dispensing the *Sacraments*, which have no kind of compulsion in them, but invite men only by sober perswasions to beleeeve and imbrace the promises of God: to conclude, *Pastors* may teach, exhort and reprove, not force, command or revenge: onely *Princes* be Governours, that is, publike Magistrates to prescribe by their Lawes, and punish with the sword such as resist them within their Dominions, which *Bishops* may not doe, thus farre *Bishop Bilson*, with whom accord many other Reverend *Bishops* and *Divines*, see the margent.

When there were buyers and sellers in the *Temple*, our blessed *Saviour* made a whip of small cords, and drive them out: I wish with all my heart, that our *Non-Residents*, that neglecting their calling, thrust themselves into the calling of the Magistrate, may be whipt out of their holes and dennes where they hide themselves, and by violence be forced to feede their sheepe, and if they will not feed them with the *Bread of Life*, and give unto them the *Waters of Life* to drinke, let them be removed *ipso facto*, for all such wicked errours.

Many

MAny Divines have beene zealous in preaching against *Non-Residency*, and yet afterwards have beene *Non-Residents* themselves, *Ergo*, upon second thoughts, *Non-Residency* is not to be condemned.

Answer, Saint Paul tells us, that *Demas hath forsaken him*, and embraced this present world, yet *Demas* did not well to forsake the truth, neither doe they.

Objection 4.

Answer.

2 Tim. 4. 10.

THe Lawes of the Land allow us in some cases to be *Non-Residents*, *Ergo*, it is lawfull.

Objection 5.

Answer, This permitting of *Non-Residency*, argues that *Non-Residency* in it selfe is evill, and the rule of conscience must bee fetched, not from the Lawes of men, but from the word of God. The *Non-Resident* is herein like the *Jewes*, who said, *Wee have a Law*, and by our Law hee ought to die, *Iohn* 19. 7. when they could not say, by Gods Law he ought to die: they said by our Law hee ought to die: so when the *Non-Resident* cannot say, by Gods Law I may bee a carelesse *Non-Resident*; he saith by mans Law, I may rob the Parish of their *Tithes*, and give a miserable allowance to a poore substitute, this is the poorest defence of all the rest, for if Gods Law forbid thee, can the Lawes of man excuse thy negligence and sacriledge?

Some of us deny their people their due, namely of spirituall inspection and instruction, that they might follow their studies in the *Universities*, and so bee the better fitted for their charge.

Objection 6.

Yet *Timothy* for the Churches behoofe, forsooke *Pauls* company, his deere Master, with whom hee had abode still, neglecting the Church, hee wanted

Answer.
Master Dike
on the Heart
pag. 235.

not this pretence, that he did it to furnish himselfe with greater store of knowledge; for *Paul* might have beene instead of many *Universities* unto him, take notice therefore of the deceitfulnesse of our hearts, which shewes it selfe in forging of idle reasons to satisfie, and beare out *Non-Residents* in the neglect of such duties as are required at their hands by the word of God

Doctor Slater
in Rom. 1.
11.

Why good Mi-
nisters will not
be *Non-Resident*.

1 Cor. 9. 16.
2 Cor 5. 14.
Mat. 9. 36.

1. Tim. 4. 16.

The *Apostle* desired to see the *Romans*: *immo* I long to see you. It signifies such a desire as is impatient of delays, whence note the affection of a true Pastor towards his people: how holily impatient their desires are of detainment from their people: pressed partly by necessity laid upon them, partly constrained by the love of *Christ*, partly commiserating the state of their people; to which might bee added the knowledge of their people severall estates, for their better fitting to divide the word aright, 2 *Tim.* 2. 15. To which patterne how sutable their practise is, that under pretense of fitting themselves to the worke of the *Ministry*, wilfully absent themselves from their charges, I would they themselves would rather seriously consider, than give others cause to complaine. I know it's true that a *Pastor* ought to labour for fitnesse to discharge the great worke hee hath undertaken, but this I marvell how men can thinke themselves sufficiently fitted to take upon them care of soules, and yet by their absence under pretence of study, acknowledge their present absolute unfitnessse, to teach and exhort their people: or secondly, how they can imagine by private study in schooles of the *Prophets*, better to furnish themselves, for pastorall performances,

performances, than by diligent imployment of their talents already received amongst their people.

IT is in vaine to write against *Non-Residency*, for first this will bring you hatred, secondly they will in one word confute you, and say *mentiris*: thirdly they will not be reformed.

Object. 7. 7

Answ. First my friends shall know that I love them by hating their vices, if they love themselves, they will love those that hate their sinnes: if they love not themselves, it matters not though they love not me.

Answ.

Secondly it is an easie matter for *Non-Residents* to confute mee in one word, as some of the *Canon Residents*, that are most carelesse *Non-Residents* confuted Doctor *Twisses* Booke against the *Arminians*, with such like words as these, did ever man write so simply: and yet many millions of these *Non-Residents* are not worthy to carry his bookes after him.

Thirdly, if they will not be reformed, yet they may be vexed in their consciences, and perswaded not to open their mouthes so impudently in defence of their idlenesse, as usually they have done.

CHAP. V.

Propoundeth certaine Questions to bee answered by Non-Residents.

Quest. 1. **VV**Hether they can say with the *Apostle*, I seeke not yours but yours?

Quest. 2. Whether by their idlenesse they have not lost their abilities to preach, there being no life

nor

nor power in their *Ministerie* for the most part no more than when a little child saith grace ?

Quest. 3. Whether they use to make mention of those that are under their charge in their prayers, praying for their establishment and protection in grace ? as *Paul* did, *1 Thess. 2. 3.*

Quest. 4. Why doe they account such precise *Puritans*, as say to them, as *Saint Paul* commanded the *Colossians* to say to *Archippus*, *Take heed to the Ministry which thou hast received in the Lord that thou fulfill it ?*

Col. 4. 9. 17

Quest. 5. Are you not more carefull to enquire whether your *Curats* be conformable to the Ceremonies of the Church, than whether they bee diligent in preaching ? and doe you not dissuade them from preaching twice upon the Lords day, and discourage them from taking so much paines for the soules of the Flock, which your poore Substitutes feede, and you fleece ?

1 Cor. 2. 16.

Quest. 6. Doth not the *Apostle* by these words, *who is sufficient for these things ?* give us to understand that the *Ministerie* is a heavy burden : but if you may lay the burden upon the shoulders of poore *Curates*, is it not to you an easie burden ?

1 Tim. 3. 1.

Quest. 7. Does not your *Non-Residency* declare, that when you desired the Office of a *Bishop*, or a *Minister*, you desired not a good worke, as you should have done, but a good dignity, good riches, good reuenues ?

Quest. 8. Doe not *Non-Residents* give entertainment to the sinnes of *Sodome*, viz. to Pride, fulnesse of bread, abundance of idlenesse, and doe they strengthen

strengthen the hands of the poore and needy ?

Quest. 9. May not *Non-residents* thinke that the gaine got by spirituall promotions, joyned with spirituall destructions, are more shamefull and infamous than the gaines of the *Vsurer* and *Promoter* ?

Quest. 10. Are there not in *Hell* already, who curse the day that ever carelesse *Non-Residents* were borne, through whose cruelty they are fallen into *Hell*, where the *Worme* dieth not, and the fire never goeth out ?

Quest. 11. May it not be truly said, that you love your *Congregations*, as *Laban* loved *Jacob*, onely to get riches by him, and not for any love to the Person of *Jacob* or *David* ; else would not your love bee seene by your paines in the *Ministerie* of *Christ Iesus* ?

Quest. 12. If by your dishonouring God in your places, and unfaithfull walking in your callings, God hath justly dishonoured you, and made you base and vile, abject and contemptible in the sight of the people, may you not blame your selves ?

Quest. 13. The *Apostle* tells us, that the *Elders* that rule well are worthy of double honour, especially they which labour in the word and *Doctrin*e : by this double Honour is meant, the Honour of reverence and of maintenance, what reverence therefore or maintenance doe you deserve, that voluntarily absent your selves from your flocks ?

1 Tim. 5. 17.

Quest. 14. *Pharaoh* King of *Egypt* saw in a dreame seven ill favoured Kine, that did eat up the seven fat Kine, and when they had eaten them up, it could not bee knowne that they had eaten them, but they were still as evill favoured, as they were at the beginning : Is not this

G

Iudgement

Judgement of God upon you also, when you have swallowed up that profits of many good benefices in the Country, are not many of you at the yeeres end, as poore, as your poore Curates, doth not God curse you with a curse?

Quest. 15. Doe as thou wouldst beedone by, is a Principle in Nature, and it must bee understood and expounded, according to the grounds of a good conscience, dictates of right reason, and directions of a just and rectified will: but you idle and lazie *Non-Residents*, would not that your Curates should have the profits of your livings, and that the soules of the people should bee fed with your continuall paines and labours, they affording unto you a poore and miserable maintenance, *Ergo*, why doe you that to your Substitutes, that you would not have done unto your selves?

Quest. 16. Experience of all Histories and times sheweth us, what advantages the *Devell* hath wonne, upon godly and industrious men otherwise (as upon *David* in the matter of *Uriah*, and many others) only by watching the opportunity of their idle houres, and plying them with suggestions of noysome lusts, at such times, as given themselves, but some little intermission, from their ordinary employment: how will he not then lead captive at his pleasure, those *Non-Residents*, whose lives are nothing else but a long vacation, and their whole care nothing but to make up a number, and to waite the good creatures of God?

Quest. 17. It is well knowne in this our Land how both *Church* and *Common-wealth* groined under the burden of those heavy lubbers the *Monkes*: the *Common-wealth*,

man-wealth, whilst they became Lords of very little lesse (by their computation, who have travelled in the search,) then the one halfe of the Temporalities of the Kingdome: and the Church, whilst, they engrossed into their hands the fruits of most of the best Benefices in the Realme; allowing scarce so much as the chaffe towards the maintenance of those that tread out the Corne: the Land is purged of these over-spreading *Locusts*, for which wee praise God, and should wee not have as great cause, to breake forth into the mention of Gods praise, if our *Non-Residents*, that relish ease, and under pretense of praying in *Cathedrall Churches &c.* leave off the Ministry, and live upon the sweat of other mens browes were wholly removed?

Quest. 18. It is said of the Souldiers, that they bowed the knee before Iesus, and mocked him, saying, *God save the King of the Jewes*, *Matth. 27. 29.* and doe not our carelesse *Non-Residents* resemble these wicked souldiers in mocking *Christ*, when they will bow the knee before him, put off their hats, and make legs at the name of *Iesus*; but they will not in their owne persons feede his sheepe, in their owne persons though they bee commanded so to doe, *Iohn 21. 15.*

Quest. 19. A learned Divine layes downe the lamentable face of our *Church* in respect that so many of her children, who should be like *Barnabas*, prove like *Benoni*, a heavinessse and woe unto her: hee tells us (which wee find true by wofull experience,) that too many *Ministers* disgrace the *Ministry*, many that are scrued (as it were) into this office, are the great

blemishes of it; sometimes in doing something else, sometime in doing nothing, sometime in doing evilly: and doth not this saying of this Reverend Divine whisper in the eare of carelesse *Non-Residents*, and perswade them to meete God by repentance and a reformed conversation?

Gal. 4. 20.

*Perkins in-
cum.*

1 Pet. 5. 8.
Ephel. 6. v. 12.

Quest. 20. When Saint *Paul* saith to the *Galatians*, I would I were with you now, he shewes, that the presence of *Pastors* with their people is a thing most necessary. And there are two reasons thereof, one is to prevent spirituall dangers, which are manifold and continuall, in that the *Devell* seekes continually whom he may devoure: and wee fight against *Principalities* and powers in heavenly things, in this respect *Pastours* are *Watchmen* and *Overseers*. Secondly, the presence of *Pastours* with their people, serves to redresse things amisse, and to recover them that bee in *Apostasie*: as Saint *Paul* saith in this place, were it not therefore to be wished, that this mind of *Paul* were in all *Pastours*, that with one consent they might say to their people, I would I were with you now?

Gal. 4. 20.

Quest. 21. When Saint *Paul* saith, *Least I should run in vaine*, he gives us to understand, that the *Ministry* of the word is not a worke of ease, or pleasure, but a labour: nay a continued labour, like to the running of a race: were it not therefore to bee wished, that the *Ministers* of the Gospell would so labour and walke in this calling, that they might bee able to say with *Paul*, *I have fought a good fight, I have finished my course*, &c. and if they will not labour, why should they have their wages for doing nothing?

Quest.

Qu. 22. When Saint *Paul* saith, let him that is taught in the word, make him that hath taught him, partaker of all his goods; is this the meaning of the *Apostle*, *ἵνα τῷ διδασκῶντι* communicate all thy goods with thy teacher: that is, with a *Non-Resident* that lives at a *Cathedrall*, and visites his Parishes once or twise in a yeere with a hungry Sermon?

Gal. 6. v. 6.

Quest. 23. The meanes that you *Non-Residents* allow unto your *Substitutes*, seldome exceeds thirty pounds *per annum*, though your Benefices bee worth two hundred, or three hundred pounds by the yeare, usually you allow twentie or sixteene pounds *per annum*, to the oxe that treadeth out the Corne, and muzzle his mouth from receiving any more. Doe you thinke that this base allowance, proceeding from your base Spirits, is sufficient to defray all charges, to satisfie all payments, to answer all expectations of wife and children for portions, of Strangers for Hospitality, is this sufficient to keepe them and their children from begging or starving? for God's sake let the labourers have their due wages, shall not the *Parliament* doe well to compell you thereunto?

Quest. 24. It is the Ordinance of God, that they which preach the Gospel should live of the Gospel: but you carelesse *Non-Residents* doe not constantly preach the Gospel. Ergo why should you live of the Gospel?

1 Cor. 9. v. 14

Quest. 25. The Apostle *Peter*, exhorts *Ministers* to feed the flock of God, &c. his reason is: and when the chiefe Shepheard shall appeare, you shall receive an incorruptible Crowne of Glory, 1 Pet. 5. 2. 4. May lazie *Non-Residents* expect this Crowne promised, when they neglect the worke of the Lord, in the

Lords House, to the Lords servants, upon the Lords day, and receive an honourable maintenance for the same?

See the Booke
of Consecration
of Deacons
Priests &c.

Quest. 26. When the *Bishop* gave unto you the Order of *Priesthood*, he demanded of you these questions: First whether you would give your faithfull diligence, alwayes so to minister the Doctrine and Sacraments, and the Discipline of *Christ*, as the Lord hath commanded, and as this Realme hath received the same, according to the commandements of God, so that you may teach the people committed to your charge, with all diligence to keepe and observe the same? and you answered, I will so doe by the help of the Lord. Secondly, hee demanded, whether you would bee ready with all faithfull diligence, to banish and drive away all erroneous and strange Doctrines, contrary to Gods word, and to use both publick and private monitions and exhortations, as well to sicke as to the whole, within your cures as need shall require, and occasion bee given? and you answered, I will, the Lord being my helper. Now resolve mee these questions, first whether these promises made by you, in the sight of God, of the Angels, and before many witnesses: proceeded from honest and upright hearts, since you live from your particular Cure; no necessitie compelling you therunto? Secondly, and whether God will not call you to a fearefull account one day for the breach of these honest promises? Saint *Hierome* condemning such undiscreeet hastinesse, saith, *melius est non promittere, quam promissa non facere: & melius est ancipitem diu deliberare sententiam, quam in verbis esse facilem, in operibus difficilem*: it is better not

*Hierom. iin cap.
5. Eccles.*

not to promise, then not to keepe promise: and it is better doubtfully and long to deliberate, than to grant easily, and performe hardly. Gregory observing this fault in the *Jewes* saith, *Judeorum populum locustæ significabant, subitos saltus dantes, & protinus ad terram cadentis. Saltus enim dabant, cum præcepta Domini se implere promitterent, ad terram cadebant, cum factis degenerent*: the people of the *Jewes* were signified by the *Locusts*, which used suddenly to leap up, and forthwith to fall downe to the earth againe: they did (as it were) leape up, when in words they promised to doe all things, which the Lord had said, but they fell to the Earth againe, when in their deeds they denied the same, and may not we truly say the carelesse *Non-Residents* amongst us, are signified by the *Locusts*, who make many promises when they enter into the *Ministry*, but when they have the charge of soules, they cry out with these rebells, *Psal. 2. Let us breake their bands, and cast their cords from us*, and therefore I will thus conclude.

Exod 24. 3.
 Greg moral 31.
 cap. 19.

From all carelesse Non-Residents good Lord deliver us.

We beseech thee to heare us good Lord.

FINIS.



Numb. 10.

SPECIALL

P A S S A G E S

And certain Informations from severall
places, Collected for the use of all that desire
to bee truely Informed.

From Tuesday, the 11. of October, to Tuesday the 18. of October, 1642.

Worcester, October the 11. 1642.

THis day two Regiments of Foot, five pieces of Ordnance, sixteene Waggones, with Ammunition, Swans feathers, &c. And 10. Troopes of Horse marched hence towards *Kidderminster*, and *Bendley*, where the Lord *Whartons* Regiment, and two Regiments more were to meet them at 12. a clock at night, and to ioyne with Sir *Henry Chomleyes* Regiment there, and these Forces to make one Brigade for that place if the Cavaliers march that way; but in regard all our intelligence here is, that the Cavaliers are for *Wolverhampton*, and so to *Brummingham* and *Coventry*, and so on to *London* (if they can) the Lord Generall hath left one Brigade at *Warwicke*, and *Coventry*, there being Sir *William Constables*, and the Lord *Peterboroughs* Regiments, and Colonell *Browne*, with 500. Dragooneers, and severall Troopes of Horse; And the third Brigade is here in this City, Colonell *Essex* being our Governour: If the Cavaliers goe with a flying Army, the Lord Generall will pursue them in the like posture: They are fed with hopes of brave pillage in *London*, otherwise the Cavaliers could not keep the common Souldiers together; they must remove where they are, for they have lived on pillaging and plundering their friends as well as their foes, that their Countrey cannot beare it; Nay, the King himselfe is so put to it for monies, that (if it be to maintaine the known Lawes Ierall iudge) he sends his Warrants to severall Gentlemen and others, requiring them

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forthwith

forthwith to lend 1000. li. (some more, some lesse) and if they refuse to lend the same, they will compell his Majesty to a course unpleasant to his Nature, which is indeed to borrow it by force, as there are too many examples of it; severall of these Warrants are brought to us hither, with much lamentation of their condition, even by divers that were notorious malignants; This so much startles the Countiees in these parts, that *Gloucestershire, Herefordshire, Worcestershire*, and part of *Shropshire*: have by Indenture under hands and seales associated themselves to assist the Earle of *Essex* against the Cavaliers. Time of action drawes neere, and therefore in my next you may see matter of that nature. I conclude with the good hopes of Colonell *Sandys* his recovery, and constant resolution to recover his life and for one in this just cause: Capitaine *Wingate* is used like a Gentleman by the Cavaliers, and the printed Pamphlets doe much injury, that expresse any hard usage of him by them, give the devill his due, and doe so to the Cavaliers in this thing. Sir *John Strangeways* son, Cornet to Sir *Lewis Dives*, who was taken prisoner in the fight at *Worcester*, is here still, but in that weak condition by reason of his wounds, that he is not fit to exchange, he is carefully looked unto, and wants no help in any thing may conduce to his recovery, our souldiers here are very civill, in good order, and leap for joy that the Cavaliers do begin to draw nigh. We have certaine intelligence that Capitaine *Leg* is come to the King with a smooth face, and black Petywig, and the Papist Cavaliers sung *Te Deum* for joy. The Arch-bishop of *York*, and Judge *Heath* are likewise with his Majesty. VVe are glad to heare that Capitaine *Kisselby* is in hold, who hath so traiterously betrayed the English Protestants in Ireland into the hands of the Rebels: I cannot expresse how great our feares are, that he should finde the like favour to escape as *Leg* did; If he be not made exemplary, and that speedily, the Kingdome will cry for Justice.

W. stminster, from the 11. of October, to the 18.

Both Houses have sent downe to great *Tarmonth* a Declaration expressing the good service done there, in apprehending the 140. Cavaliers that came from *Holland*, and seising the Ship, and 300. Barrells of powder, requiring them to send up these persons in safe custody, to the end they may be proceeded against as persons comming to ayde and assist the King in this unnaturall war upon (against) his Subjects.

The City of *London*, according to the Ordinance of Parliaments, having gone from house to house, to know what every man would lend or contribute (in this great extremity ino which the Kingdome is driven(plunged) by the wicked Counsellors about his Majesty) to assist the Parliament, to preserve

preserve our Religion and Lawes, desired of Master *John Fountaine* a Lawyer, what he would please to lend, who returned answer, that it was against the Petition of Right to desire him to give either yea, or no : It was replied unto him, if you give your no, we shall rest satisfied, for it is a voluntary act and no man is compelled to give or lend, he answered againe, it was against the petition of Right, for to answer yea, or no ; whereupon the House of Commons for his contempt in refusing to answer, committed him to the Gate-house, declaring further the imbecility of his judgement, or positive refractions to draw on others to the like error.

Mr. *Peters* was sent from the Lord *Forbes* with Letters from *Ireland*, which amongst other things expresse the taking of five ships in the River of *Lymrick*, some of them having 300. some 600. barreils of powder in a ship, besides armes, some having 1000. some 2000. Musquets, and as many swords, &c. and many Tunnes of Match, all which the Adventurers have taken as prize, being of great value, some of them came from *St. Mallores* in *France*.

The Earle of *Bedfords* instructions are ordered to be still in force to pursue the Marquesse, and those other traytors his adherents.

The Earle of *Barth*, Sir *Edward Rodney*, the two *Barkleyes*, and Sir *Hugh Pollard*, with others, are brought up as notorious Delinquents, and were committed to strict custody.

The Parliament receiving information, that the King intends to march for *London*, and that he expects to finde a party here in *London* to joine with his Forces, agreed in an Ordinance of Parliament to raise the Trained bands of *Essex* (for which purpose the Earle of *Warwicke* is sent unto to come with all speed) and the Trained bands of *Hertford*, *Middlesex*, and *London*, all to meet at a place of Rendevous, and that in the meane time a view be taken of their Armes, and that they be all in a readinesse upon an houres warning : And ordered further, that in all passages into any parts of the Suburbs of *London*, *Islington*, *Mile End*, and *W. Hamster*, Posts and Chaines, and Courts of guard be set up, to the end that it may stop the passage of Horse, if any should come.

The Parliament perceiving the great industry of the adverse party to get mony and parties on their side, have thought fit for their security, to send to all persons in the Counties adjoyning, as well as in and about *London*, to receive their contribution in mony or plate, and such as shall refuse to disarm them, that they may not be able to offend the Parliament, if in case the Cavaliers approach. And that such as refuse to lend, and are with all notoriously active against the Parliament, should have the brand of malignancy

put upon them, and their persons be secured, and because divers ill affected persons have of a sudden taken up a custome to weare certaine differing and distinct Colours, as if some designe were well nigh ripe, and by that meanes would prepare great multitudes to side with it; The Parliament to prevent the growth of such a faction, have declared that such persons that shall be seen to weare such Colours, shall be forthwith committed, and further proceeded against as persons endeavouring to raise a force against the Parliament, and to set divisions amongst the Kings Subjects.

Gloucester, 11. of October, 1642.

For newes, there is expectation that the King will rise from *Shrewsbury*, and the Lord *Kimbolton*, and Lord *Wharton*, and others are sent to our deputy Lieutenants in the County of *Gloucester*, to raise 600. Dragooneers, and send them to the Lo: Generall by Thursday next, which we conceive will be effected, there is much feare of some designe upon the City and County, and I hope care will be speedily taken to prevent all dangers. The City of *Bristol* hath sent hither for an Engineere, which went thither this morning: and the Lo: *Stamford* is in *Hereford* with a Regiment of foot, and 500. Horse, and it is supposed there will be either suddenly a Battle betwixt the forces of the King, and the Lord Generals forces, or else his Majesties forces will endeavour to goe towards *London*, and plunder those Counties in the way that they conceive disaffected, hoping to effect the same by the strength of their Horse, and that the Lord Generall cannot remove so fast as to prevent them: the Lord *Madoc* hath raised a power in *Cornwall*, as we here, The Almighty put a conclusion to these troubles.

Dublin, Septemb. 30.

Last night a Convoy came from the Army, which brought word, that upon Saturday they were at *Eeles*, the Rebels kept the Market very securely, but in the midst of their marketing, our Army fell upon them, and killed many of them, the rest fled, so our men got between that and other places, above 2000. Cowes, and above 5000. Sheep, and great store of other pillage, so the Army doth not march past 4. or 5. miles a day, they burnt all the Corne round as they goe, and houses, and the Rogues so run before them still, 6. or 7000. in a body, upon Friday they sent word to our men, that they would fight, Colonell *Bourne* was chiefe, considered of it better, and drew his men into a body, a mile from our men, and away he went in comforting

comforting his men, and telling them that 12000. Spaniards was landed at *Wexford*, first he would go to meet them, then hee would come downe with them, and make an end of all the English Rebels, the day before hee was in the minde to kill all them, saying to his men, that he would doe well enough with those few English Rebels, as indeed he might, considering their forces, for they were three to one at least. The last night the Rebels tooke 200. Horses, and some Cowes from *Swords*, also the Earle of Castle Haven escaped away from the Sheriffe, who had him in his custody this 4. moneths, there was three more made away from the City, Marshall, one of them was Sir *Francis Slingesbies* Son, a Jesuit, that was committed the last week: All this day the Gates are shut, and search made, but all in vaine, for they are far enough, one of the Sheriffes and his deputy is committed close prisoner, the other is not in Towne, who had the Earle in custody, how they will answer this I know not: And they say the Sheriffe had an order to bring the Earle before the Counsell this 4. dayes, he was with him daily, and last night after he was in bed, so it is thought he will suffer, and well deserves it, for he is a Papist, and I thinke a Knave, the other is a very honest man.

The last night the Rebels came and stole Cowes and Horses within three miles of the City, and pillaged a Gentlemans house there: This day five or six Ships are gone towards *Wexford*, under the command of Captaine *Barilet*, I pray God be their good speed.

Warwicke, 13. Octob.

VVe had an Alarme here last night that Prince *Robert* was come to *Brummingham* with 1000. Horse, and had plundered that Towne, but indeed there was nothing left in the Towne but Bedsteads, Spis, VVheelebarrows, and such kinde of pillage, for that Towne any time these three weekes, have been removing their wives, children, and goods moveable to *Coventry*, and there were but 50. Horse that came thither: There was on comming to *Wolverhampton* on VVednesday 17. pieces of Ordnance, 500. Dragooneers, 6. Troopes of Horse, but Sir *William Belford* with 21. Troopes of Horse marched to *Ancaster*, which put the Cavaliers to a stand, and Colonell *Constables* Regiment hath command to march to assist the Horse and Brigade that is at *Kidderminster*, marches on the Reere of these Ordnance. The Cavaliers now plunder without distinction of persons.

K 3.

Torks,

Torke, 14. Octob.

Our condition here is miserable, above 20. houses are plundered in this City, because they will not contribute to maintaine the Cavaliers in their designes, some Aldermen that refused are committed, and one of our Aldermen that is intrusted by the Act of Parliament, and hath 1000. li. in his hands, hath 7. houres given him to deliver the money, or else to be plundered and imprisoned; they threaten our best Ministers, that if they preach not as they will have them, they will kill them: Sir *John Bourchier* is carried to *Torke Gaole*; the Lady *Melton*, who sent her goods by water towards *Hull*, had all her goods, money, and plate, to the value of 1000. li. taken by the souldiers as they were putting into the Barque; they will suffer none to depart the City, but compels them first to lend money: There is marched towards *Cawood*, where Master *Hotham* is 1000. foot, and 3. Troupes of horse; and Sir *Thomas Glemham* is resolved to beate Master *Hotham* thence: The Cavaliers that beare rule in this City is Sir *Francis Wortley*, Sir *Marmaduke Langdale*, Sir *John Kay*, Master *Francis Nevill*, and others, they make the Earle of *Cumberland* stand for a Cipher, for they doe contrary to his advise: VVe heare Sir *Ed. Rodes* hath sent out some Horse to the Lo: *Savills* house, and have taken 16. war Horses, and brought them to *Doncaster*, but one of his men was shot: If the Regiments of foot come not to help us that the Parliamept designed, Master *Hotham* must retreat to *Hull*.

Both Houses have ordered, That the Fines, Rents, and profits of Archbishops, Bishops, Deanes, and Chapters, and of such notorious Delinquents who have taken up Armes against the Parliament, or have beene active in the Commission of Array, shall be sequestred for the use and service of the Common-wealth.

And that the Kings Revenues arising out of Rents, Fines in Courts of Justice, Compositions for VVards, and the like, and all other his Majesties Revenues shall be brought into severall Courts, and other places where they ought to be paid in, and not to be issued forth, or paid out, untill further order shall be taken by both Houses of Parliament: And that the names of strangers in, and about London shall be forthwith taken.

That the Lord Mayor, and Sherifes of the City of London, shall forthwith search the houses, and seize the Armes belonging unto Master *Roger Drake*, Master *Ralph Long*, and divers other Citizens of London, for that they

they have not contributed as they ought, to the Charge of the Commonwealth in this time of imminent danger and necessity.

That such persons as shall not contribute to the charge of the Commonwealth in this time of ex.ream necessity, shall be held fit to be disarmed, and secured. And further ordered, that the Master, Counsell, Receivors, and other Officers be required to make stop of the payment of these severall annuall pensions following, viz. Two pensions to the Duke of Richmond, one of 2100. li. *per annum*. Another of 1400. li. *per annum*: To the Lord Willoughby of Eresby, 1000. li. *per annum*: To the Earle of Bristol, 2000. li. *per annum*: To the Lord Grandison, 500. li. *per an. & al.*

Sale Ashley. October 13.

We are here in great feare of the Cavaliers, in *Cornwall*, who with some of their forces from *Pendennis* Castle have possessed themselves of *Lancaston*, and intend to come hither next, 600. in number, but we are unanimously resolved to stand upon our guard, and have sent to *Plimouth* for more Armes and Ammunition, and Sir *George Chudley* is resolved to stand it out to the last, and the towne of *Plimouth* will assist him, Sir *Ralph Hopton* we heare commands in chiefe over the Chavaliers:

Amsster. October 15.

Prince *Robert* foiled of his Boory which he aimed at, the 20000. pound comming downe to pay our Army which comes *Oxford* Road, well guarded, yet my Lord Generall sent twenty one Troops hither and to *Warwicke* to secure any Passage that way, either towards *Oxford* or towards *Coven-try*; the Brigad at *Kisermaster* and *Bundley*, faced Prince *Rupert* (two miles distance) and he them, but no encounter, we bend our strength most towards *Wolverhampton*, we cannot be long without action: I heare Colonel *Essex* Brigad, and Colonell *Goodwins* Regiment of Horse are at *Wich*.

Manchester,

Manchester. October 17.

It much troubles us that the powder and Match coming through *Staffordshire* to relive this Towne, was intercepted by *Sir Edward Mosely*: we have this weeke taken twelve Gentlemen of quality prisoners that were our bitter adversaries, two of them *Yorkeeshire* men, *Mr. Tempest of Bowling*, and *Mr. Mantham*, we have got both powder and Match another way.

Newcastle. October 13.

Here is a small Vessell come in heare which brings with her Armes for 1000. men and 10000. pound in money, they are raising of Dragoons in *Northumberland*; divers Papists, and some of them convict, are in Commission for the raising of them, they are designed to assist *Yorkeeshire* against the Parliament, or to prevent any that shall in these parts appeare for the Parliament: we heare the King intends for *Coventry* and so to *London* and that he is 30000. strong.

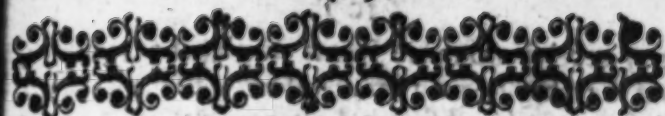
London Printed for *H. Blonden*, 1642.



I

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F



WEEKLY INTELLIGENCE FROM

Severall parts of this Kingdome,
and other places, from the 10 of
✓ Octob. to the 18.

LONDON,

Printed for R. Howes, and are to be sold by
Henry Overton in Popes-head-alley.

Octob. 18. 1643.

Westminster From Octo. 11. To the 18.

O Ne Barkley, and others active in the
Commission of Array in *Summersetshire*,
were brought to the Fleet this weeke;
the City of *London* prepares their
Dragoneers, which will bee 2000 be-
sides their three Troopes, and two 2000 Foote
for defence of the City.

The Lords and Commons being assured of the
Bishops Deanes, &c. Affording contributions to
the War against the Parliament, have agreed that
they

they receive no more Rents during the troubles, and that they be paid for the use of the Parliament: Master *Strickland* sent a Letter to Master *Pym*, in which he assures the Parliament of the readinesse of the States of *Holland*, to concur with the Parliament of *England*; insomuch that he saith, they are all in that Province called covenanters,

The Commons understanding that there are divers that weare upon their hats a tauſty colour'd Ribbin, w^{ch} is the colour his Majesties Souldiers weare, and that there are divers Officers in Towne that may take on these men to the great disturbance of the City of *London*, and the South parts of the Realme, have commanded the restraint of their meeting in *Pauls*, and given Order for the apprehending of them; and as a beginning, there was on Saturday Justice *Longs* man taken following his Master with such colours (like man, like master,) the man being examined was found in severall Tales, but at last he refered the Committee that examined him to Moll *Cut-purse*, who being sent for, went to the Committee with Tauney and Orange colored Ribbins saying she would were both, for she was for the King and Parliament.

Master *Peters* made report to the House that the Ships under the Lord *Forbice* had taken five Ships, come from *France* & other places with Powder, Shot, Armes, Musquets, all at the charge of his Holynesse, for the defence and support of the Catholick cause; it was well they light upon these Ships, otherwayes they had had but a bad summer.

The Parliament have ordered the rayfing *Essex*, *Hartfordshire*, and other Countreies to joyne with *London*

don, to make up an Army of ten or 20000 that may meete the Cavaleers, in case they escape my Lord of *Essex*, and come towards London. They have also Ordered that triall be made in all parts what men will contribute to the Parliament, and that they that will not, be disarmed; and that those that have been active in the Commission of Aray bee proceeded against.

Brumigeom the 13 of Octob.

Our Towne hath been plundered by 50 Cavaleers; onely, they were thought many more, otherwaies they had been opposed, however they got not much; for when my Lord Generall did not thinke it convenient to send us men, we sent away our best moveables; yet thus much give me leave to thinke, that had my Lord Generall had a wise and active Scoutmaster, there might have beene such timely notice given to some of his Horse, quartered neere us, that they might have beene either cut off, or surprized, that thus desperatly adventured upon us.

Worcester Octob. the 9.

You have heard of the taking in the City of *Heriford*, Sep. the 30. through the petitō of divers of the Knights and Gentlemen, of that County petitioners to his Excellency, who sent about 900 Foote, three Troopes of Horse, and two peeces of Ordinance, with which we marched (a forlorne hope) towards *Heriford*; we had some opposition by the Citizens for a time, being for the most part malignants; but one of the Aldermen perswading the wise Major that my Lord Generall was at hand with all his Forces,

Whereupon he opened the Gates, and let us in, we found the doores shut against us, & could scarce get a little quarter; and wet and weary, we were faine to guard the City that night: on Sunday about the time of Morning Prayer, we went to the Minster, where we heard the Organs play, and the Queristers sing so sweetely that some of our Souldiers could not forbear dancing in the holy Quire; the Anthome being ended they fell to praying devoutly for the King and Bishops, and one of our Souldiers said with a loud voyce, what never a fit for the Parliament, which offended them greatly.

Shrewsbury the 10. October.

There hath not been the like displeasure done us to that of our Ships lost at *Tarmouth*, for we had furnished all our new Welsh Foot with Commanders, and had been accommodated with Powder, &c. however we beare up and shall put you to it if you advance against us; if we have the worst we shall retreat to *Bridgenorth* and *Shrewsbury*, when they faile, we can go into *Wales*; & you shall follow us over the mountaines, so that you must not thinke presently to put end to the businesse; we shall leave no meane unattempted to make us a party, as appears by the inclosed which I have transcribed out of the originall, and to which some have subscribed. *Septemb. 29.* we mustered 4000. Foot all armed at *Shrewsbury*; At the same time was another Regiment at *Bridgenorth*, 1500. at another place, and 14 miles from *Shrewsbury* 700. we are Dragoners and all, 5000. Horse. 1000. are going down to *Bridgenorth*, and 8. peeces of Ordinance, We give out that we will march to *London* ward, but beleve it not
until

untill you see it, we have not so little wit, as to leave such an enemy behind us; we perceive you are very ignorant of our waies, but we know the deepest of your plots: and whereas you think by delaies to exhaust our treasure, you are mistaken; and were it so, we can advance towards *Stafford, Nottingham, Darby, Lincoln*, where you cannot follow us, but upon infinite disadvantage.

VVorcester, Octob. 9.

We wait for action and thinke it neerer and neerer every day, we are confident the Kings wants will occasion it, for where he is, he cannot abide, such is the scarfity of forrage, Hay is at 3 s. per 100 l. and Oats at 3 s. per bushel; some do affirm that the Kings Majesty for encouragement to his men, there is promise made of the spoils of *Brunigome, Coventrey, &c.* my Lord *Coventrey* came in to the Generall the 5. past, who used him with more respect then he deserves, he had a passe from my Lord, we hope the House wil fine him 20000 l. at least. Our number encrease th, we are 11. Regiments billeted in *VVorcester*, 3. or 4. elsewhere; one of our Souldiers was well horsed last monday, and now we have a paire of Gallows set up if misdemeanors grow greater. We have made some small workes upon the hill neere *VVorcester* between us and *London*, neere *Severn*, least any come by water: we have had men gone to *Beudley* and come back, however now we are resolved, & have sent to make good that Town and bridge. Sir *William Peto* is made Quarter master general for the Horse. My L. Generall hath received the commands of Parliament about the petition delivering to his Majesty; we think of sending some Lords with us, as the L. *VVharton* and others.

VVor-

Worcester, Octob. 11.

The Kings Forces for the generall are come to *Bridgenorth*, and many of ours to *Bewdly*, for that we are neere to each other ; its beleevd we shall suddenly fight, and determine the great controversie by a bloody battell ; the Major and Aldermen of this City are set by as delinquents.

Dublin, Septemb. 30.

The Kings Majesty hath sent hither the Olive-branch, viz. order to the Lords Justices to take to mercy all rebels that shall come in and submit, and he saith he thinks it but reasonable ; I have not seen the instructions, but hope there is a *proviso*, that if any of them have massacred any protestant man, woman, or child, or dispoild them of their goods or Lands, that then they shall not have pardon, other way his Majesty gives large pardons.

Edenburgh, Octob. 4.

There went hence on Satterday an expresse to the King and Parliament from the Commissioners for the conservation of peace, to desire a safe conduct for some of their number, whom they purpose to send into *England*, to use their utmost endeavours for composing the present differences between his Majesty and the Parliament.

Amsterdam, Octob 10.

New file.

The Sweadaadvance toward *Bobemia*, which the Emperours Forces labour all they can to hinder, for *Silesia*, *Lusatia* and *Moravia*, being for the most part ruined, if they can doe the like in *Bobemia* they will reduce the Emperour into a narrow compasse, and possibly make him heare reason at last, and be content

with his ancient hereditary Lands; which should it happen, it would be a shrode pull from his Eagles-wings, that have darkened Christendome for these many yeeres. The *VVemarish* are gone over the *Rhine* at *Wrasell*, 10000. Horse, and 5000. Foot, we hope they will yet bring the Bishop of *Cullen* upon his knees, which had they done, *Germany* would be much neerer a peace then otherwise. The Prince of *Orange* with 40000. men went into the field this yeere, but is come back againe,

Paris, Octob. 11.

We advance under Mounseur *Hallier* with a good Army towards *B. point*, Count *Salé* and *Rosa* have given a great defeat in *Burgundy*, and taken prisoners of speciall quality. If we prosper as we have done these yeers past, we shall extend our Dominions double to what they were, and be the terror of Christendome.

FINIS.

BRITISH
1841

FINIS.

Christophilo^z.

The true

CHRISTIAN SVBIECT

Decyphered in a *Sermon* preached
at Saint Pauls London, on the seventh of
August, Anno 1642.

By Benjamin Spencer,
Minister of St. Thomas Parish in Southwarke.

*Judicium regis est ultimum judicium, ultra
quod causa pertransire non potest. Aug. Cont. Parm. Lib. 1.*

*Potestas principis juris est, non injuria, & cum ipse sit
Author juris non debet inde injuriarum nasci occasio, unde jura
nascuntur. Bact.*

MAT. 24. 15. Let him that readeth understand.

Certol: 194

LONDON,

Printed for Thomas Paybody, dwelling in Pater-Noster
Row, in Queens Head Court. 1642.

CHRISTOPHER

CHRIST





To the Right Honourable EARLE
OF
MANCHESTER,

Lord Privie Seale, B. S. wisheth all present
and future happinesse of Grace and Glory.

Right Honourable, -

Thinke my selfe happy as Saint Paul
said to King *Agrippa*, that I have occa-
sion given mee to plead before one,
who is red in all Customes and que-
stions, that so those which speake evill of the
Sermon may bee ashamed by your justification
of it, to whom I make bold to dedicate it. Not
that by your greatnesse it should be defended, if
it give just offence, but by your worthinesse pro-
tected from unjust calumnies of suspicion, of
which the world is now so full that Jealousie
hath given faith her passport and she is gon. Be-
ing

The Epistle, &c.

ing therefore fallen into these dregges of time wherein wee can hardly draw off cleare Wine without racking some new opinions, which are so toothsome. I thought good to try if I could but helpe to settle those muddie Lees by expounding some Texts of love, peace and obedience. But my good meaning hath been so much mistaken, and my words wrested, yea threatned, yet not by either wisdome or greatnesse that I am forced to present this Sermon to your *Lrdships* censure First, and next to the view of the world. To the world for my vindication to your Honour for expression of my duty in which I shall ever rest

Your Lordships truly devoted

Servant,

Benjamin Spencer.

To

To the Considerable

R E A D E R.

Gentle Reader,

IF thou knewest how much this Sermon hath beene abused by evill Tongues, and how I have beene urged to print it before it was scandalized, but especially since, that it might vindicate it selfe, thou wilt cleare mee from any audacious daring of the times or vaine glory to bee scene in print. Pardon mee onely in taking the Text, and I feare no censure for the Sermon, because it is not Conscious of time serving by taking part with any save plaine Truth, which all good men aff. Et though she have an austere countenance, to whose commands for my part I have ever devoted my selfe, and shall be glad to die in thy service, if thou wilt in hers, To which good purpose that God would assist us with his grace, I pray, and rest thine in Jesus Christ,

Ben. Spencer.

A 3

A

To the Honorable

Members of the

Senate of the United States

Washington, D. C.

Dear Sirs:

I have the honor to acknowledge

the receipt of your letter of the

10th inst. in relation to the

subject of the proposed

amendment to the

Constitution of the United States

relating to the

election of the President

and Vice-President of the

United States.

I am, Sir, very respectfully,

Your obedient servant,

John C. Calhoun



A
Sermon Preached at St. Pauls
on the seventh of Aug. 1642.

PROV. 24. 21, 22, 23.

21. My Sonne feare God and the King, and meddle not with those that are given to change.
22. For their destruction comes suddenly and who knoweth the ruine of them both?
23. These things belong to the wise.



His Booke and *Ecclesiastes* are *Salomons* re-tractations, or his second thoughts, and therefore the more worthy, to be thought of. We may say of him as it was of *Origen*, *ubi mala nemo peior, ubi bene nemo melior*, (In his error no man was worse) but where hee did well no man could mend it. I may call it one of *Salomons* Gardens richly enameled with flowers of all sorts, some to make a posie for the moralist, as rules of *Ethicks*, or morall Philosophy, others for the house-holder, as rules of *Oeconomie*;

at Saint PAULS.

nomie; some for Governours, and people, which wee call politricks, of which, this is one: *My be feare God and the King, &c.*

In this Garden you seldome finde many flowers upon on stalke; many verses upon one subject.

Here is two, and a bud, two verses and an halfe all yeelding a rare seed, goodly leaves, and a fragrant sent unto all whose Noses are not stoppt, or their mamillary processe corrupted. I meane whose understandings are cleare, and their affections cleane.

Division.

In this verse behold a *precept* and an *inducement* to performe it.

Precept.

The *precept* is like the Commandements of God both *Affirmative*, and *Negative*.

Affirmat.

The *affirmative* part is *feare God and the King*, wherein wee may see whom we are to feare, *God and the King*, severally,

Secondly, *God and the King* conjunctly.

Thirdly, *God* first, then the *King* orderly.

Negative.

The *Negative* part is, *and meddle not with those that are given to change*. Wherein we see, First the duty implicite not to be given to *changing*, Secondly, not to *meddle* with those that are given to it. If *medling* be forbiddent then *changing* much more. If the lesse then the greater.

Inducement.
Loving counsell.
Wholesome.

The *inducement* to performe it is, first because it is loving counsell, it comes from a Father. Secondly, it is wholesome Counsell it prevents destruction and ruine both which else will come, and that first, suddenly, and secondly, inscrutably, ere we know either from whence it comes, or how long it shall continue, for *who knoweth the runnes of either, viz.* of them who neither feare God, nor the King

Wise.

Thirdly, Because it is wise counsell such as wise men both

both give and take though fooles will not receive instruction. *These things belong to the wise*: which words though some translations set by themselves in relation to what comes after, writing it thus like a title. (*These are also the sayings of the wise,*) yet because it may justly draw all that followeth into a just suspition of being the sentences of some old *Rabbins* and doubtfull Authors, I take it rather to have relation to the Counsell, *Feare God and the King these things, or duties belongs to the wise.*

The *praecept* is *feare God and the King*, which being severed we are taught to *feare God, and feare the King.*

First, For the *feare of God*, It is a duty which leads us to wisdome, *The feare of God is the beginning of wisdome*, and in vaine doe men seeke wisdome, who doe not first learne to *feare God*, even as they doe labour in vaine in the quest of vertues, *si aliunde eas sperandas putent quam a domino virtutum*, if they seeke it any where but of God.

Wee need not make an observation here which is made to our hand that *God must be feared*. But I would it were done as sure as wee beleewe it should be done, and then men would not have so many vaine hopes; for all true hope is grounded upon the true *feare of God*.

But the fault is some *feare* not God at all, as those that aske with *Pharaoh, who is the Lord*, till they come to some great exigent as the *Persian* Cavaleers, who were wont to say in their Cuppes, there was no God. But when the *Grecians* had them in chace, and they came to the river *Strymon*, they then prayed to God the yce might hold till they got over.

Some feare not God at all.

Secondly, Others *feare God* ignorantly as Children are afraid to goe in the darke, they know not aright the God of their fathers and therefore as some worship him wrong by doing *aliquid magis*, though not *magis* somewhat

2: Ignorant feare.

A Sermon preached

more, though nothing greater than God requires: so others are afraid to worship him right by that *inanis timor decorum*, also of which *Cicero* speaks a vaine feare of God, like the idle servant who said hee knew his master was an hard man and would exact account of every doer, and therefore he for feare of loosing any, hid it in a Napkin and so lost all the gaine he might have made; so this ignorant feare makes some too superstitious in maintaining Ceremonies that are nocent and others too scrupulous in gaine saying Ceremonies that are innocent. Of both which Saint Paul warneth us, *Colos. 2. 8. 20, 21.*

3. Feare of diffidence,

Some have the feare of diffidence, that God cannot or will not save as *Israel* said, *can God give meate to his people?* this feare makes them to value *Christ* at too low a rate by selling the price of the Redemption under the price of the Redeemer, as *Judas* did, who thought the price of Redemption could not buy out the sin by which he set so small a price on the Redeemer.

4. Feare of the Spirit of bondage

Pf. lxxx.

Some have only the feare which is begotten by the spirit of bondage, by which they feare only God for his judgments, but they never thinke, *there is mercy with thee, therefore thou shalt be feared*; but they looke only upon one attribute of God (*viz.*) his Justice which preventing them of the faith of affiance they reject also the faith of adherence, which is as good though not so strong, *Psalm 42. 11.*

5. Feare of God single.

Some againe feare God onely with neglect of those whom hee bids them to feare also, and so separates that which God hath coupled. But as to feare God is wisdom, so to depart from such evill is understanding, saith *Iob 28. 28.*

Feare the King.

Therefore the precept saith also, *feare the King*, To shew us there is duty belongs to men as well as to God. Give

to Caesar that which is Caesars, and to God that which is Gods,
 feare God, for his owne sake, feare the King for Gods sake.
 I might say for your owne sakes, for hee that resisteth the
 power, resisteth the Ordinance of God and receives to himselfe
 damnation. So that as God must have his feare, so the King
 must have his. And as Gods feare must bee partly for his
 judgem^{nt}, though it be better for his goodnesse, so wee
 must feare the King, not onely for wrath, but also for con- Rom. 15.5.
 science. Yet his wrath is not to be slighted, for Salomon Amos 3. 2.
 saith, *It is like the roaring of a Lion, Prov. 20.2. And shall*
the Lion roare, and shall not the beasts of the Forrest tremble?
 but as David said of God so may it be said of Kings, when
terras Astraa reliquis, Justice hath left the world and those
 dog dayes are come of whom Saint Paul speaks, *2 Tim. 3.1.* Psalm 90.11.
 who then regards the power of his wrath? Yet he Romans 13.
 is *ἐκδικητής ὀργῆς*, the revenger of wrath though,) not of
 his own,) nor in his owne wrath must hee take revenge,
 yet he beareth not the sword in vaine. And therefore it is
 an happy thing when people so beare themselves towards
 Kings as ever to keep in them a *ἄσπλην*, a parentall affection
 and not rowse up the *ὀργή* wrath, which is seldome raised
 that ever it will be layed againe without satisfaction, ex-
 cept in those milde Princes, who like heavenly natures
 had rather conquer their subjects, *ferendo* by bearing,
 than *feriendo* by smiting.

Object. What if men live not under a King?

Ans. Then they must feare him or them that are
Vice Regum in place of Kings.

The true feare of a King due from his subjects, consist- Wherein con-
 eth, sisteth the
feare of a

First, in having a reverent conceit of him, as *Ecc. 10.20.*
Curse not, or disrespect not the King in thy privy Chamber,
not in the privatest chamber which is thy heart, though K. 3.
Eccles. 10. 20.

A Sermon preached

Eusebius

hee be evill, or hath done thee some evill as *Saul* did to *David*. For as God smote the *Bethshemites* to the number of 50000. for looking into the Arke with too narrow and curious eyes: so will he those that pry into Princes with the eye of envie or curiosity. The *Bethshemites* thought because it had been among the *Philistins* in captivity, they might play with it as many suppose they may with authority in the evening or declining of it: when the Lion grew weake saith the fable, every beast did beare him, yea the very Ass kicked him. When *David* was in distress. *Nabal* the foole, cryeth *who is David?* and *Shemei* opens too wide upon him, and *Sheba* bloweth the Trumpet crying, *we have no part in the sonne of Iesse.*

2.

Secondly, therefore the feare of the King consists in reverend speeches of him, as Saint *Cyprian* notes well upon *Christs* speech to him that smote him before the High Priest. Hee did not rayle at the High Priest for keeping such bad officers, but *docens sacerdotalem honorem servari oportere, contra pontificem nihil dixit sed innocentiam suam tantummodo purgavit*, he did only defend his owne innocency shewing that authority ought not to be rayled at but indeed ought rather to be preserved like Sanctuaries, which as they are not to be violated, so neither is the footsteps of Gods Annoyed to be slandered. Christians must not be like the Sea which by every little winde swelleth into raging Waves which foame out their owne shame by casting up myre and dirt, *Isaiah* 57. 20.

Psalm 89. 31.

Jude 13.

3.

Romans 13. 3.

Thirdly, the feare of a King consists in Obedience when hee commands us that which is good. Doe well and thou shalt have praise of the same, saith Saint *Paul*.

4.

Fourthly, It consists in patience if he commands thee evill, to suffer rather: but beware of resisting the power, for *fiat voluntas tua*: (thy will be done) extends to suffering

ing

ing as well as doing, for, *hereunto you are called* (saith Saint Peter,) *to bee subject to the froward as to the gentle.* *1 Peter 3. 21.* Let no man mistake, there is great difference in *patience*, there is a patience without sense, such as is in things insensible, as Fields which suffer themselves to bee overflowed by waters, because they want sense and power to stop the inundation. So there is a patience with sense, as the patience of the Ass who feelth his wrongs but wanteth reason to redresse them. Then there is the patience grounded upon reason of men knit together in a body politique, who are taught by reason patience in some wrongs, least the body bee disjoynted upon any pettie occasions and government utterly dissolved upon small grievances.

Lastly, There is the Christian patience begot by the precept and patterne of *Christ Iesus* who left us an example, *that we should follow his steps.* *1 Peter 3.*

This patience is to bee used especially when Christian Religion is assaulted of which patience is both the badge and prooffe.

Patience therefore must be used to shew our reverence unto Kings. Not but that the powers may be revered and yet the goods of the Subject may bee by them defended by Law from rapine and their persons by Legall powers from illegall violence. For herein the power is not resisted but the exuberancy and overflowing of the power is stopped and turned into his true Current: For example wee resist not the current of a River when wee stop the estuation of it from drowning our Lands and Houses, but wee labour to keepe it in his Channell, *Romans 13.* for as the River is ordained for our benefit, so is the power for our good.

A Sermon preached

But indeed the power by our impatience is resisted when just obedience is refused, the just authority infringed, or the person indued with authority is assailed or violated.

God and the
King conjunctly.

Christ.
Optat. Cont.
Tert. lib. 3.
1 Pet. 2. 13.

Tert. ad Scap.

Wee see then there is a feare severally and properly belongs to God and the King. Now conjunctly, for God hath joyned the King in Commission with himselfe and that so close as nothing comes betweene but a conjunction copulative, no power of the Pope nor any other for *Non habet parem super terram*, for hee is next and immediately under God, *Super imperatorem non est nisi, qui fecit imperatorem*, and therefore saith Saint Peter, submit your selfe, to the King as to the supreme, Namely when there is a King: but if there be none then unto those that rule *Vice Regis* in the place of Kings, and so unto Governours as to those that are sent of him or them. And these are well joyned together; for wee are apt to doe our duty by halves as either to feare God and contemne the Magistrate and so become religious Rebels, or else to feare the King and neglect God, and so make the Prince an Idoll, but joyned together they must bee, and that without any interposition. *Colimus imperatorem ut hominem a deo secundum & solo deo minorem*. Yet distinguish them we may, separate them we may not. *Iulian* Souldiers would not sacrifice with the Emperour, and yet would fight for him, disjoyned they may not bee, God hath given them to us both together, to observe as the two tables of the Law, thereby teaching us to avoyd Heresie and faction either of which will observe one table with a damage to the other: Heresie with faire shews of good workes to men, cover the injuries it doth to Gods Truth. So Faction and Hypocrisie by a shew of Holinesse to God cloakes the wrong it doth unto men

men. Therefore seperate neither least you spoyle both.

Wee see therefore that the feare of God and the King must go together, not that hereby we make Kings equall with God, nor attribute to them indefinite power much lesse infinite power as some flatterers have to the Pope who make him believe hee is infallible in knowledge and Almighty in his power. Nor do we marry *Minerva* to our Kings, as the *Athenians* offered to *Anthony*, as if there were no wisdom but in his breast. Nor doe wee make them Gods as the *Grecians* did *Alexander*, but wee teach people to obey them by the word, though they rule not alwayes by the word; for the neglect of their duty will not excuse the neglect of ours. For though they indeed, *that rule well are worthy of double honour*, yet wee 1 Tim. 5. 17. cannot deny to any our single duty of feare and reverence.

This therefore may serve to confute the Anabaptists Anabaptists condemned. who will know no Magistrate, but seperate the reverence of Magistrates from the feare of God, and so Eclipse the glory of Kings, and the duty of Subjects, by interposing pretences of Christian Liberty against their authority, and so turne it into libertinisme even to the subjugating of Princes if they can finde power enough to doe it, as you may read in the History of *Thomas Muntz*. Anno 1533. *xiemus*, *John Laydon*, and *Cniperdoling*, all which made insurrections against Governours, though themselves liked well to rule as powerfully, and as proudly, and tyrannically as the Turke himselfe. But this Text will not allow to feare God, and contemne the King, nor feare God, and affright the King, but commands us to feare God and feare the King. Least as saith *Optatus*, *Dum Dominus super imperatorem se extollit non varetur cum qui post Deum.* Optatus.

So

A Sermon preached

Papists con-
demned.

So the Papist his Doctrine is here condemned which boasteth of his Catholicke faith, but teacheth not true Christian feare. The Pope it seemes hath absolved them from it, and the Papists ghostly Father comforted them against it, as *Mortimer* did King *Edward* the seconds keepers, with this sentence, *Nolite occidere iugestimere bonum est*. It is good to doe say they, what I feare to name.

Seditious Se-
ctaries con-
demned.

There be others who say they abhor the Papists, and can as ill endure the Anabaptists, and yet have involved themselves in their opinions of not fearing Kings as well as they, witnesse those dangerous positions written in the time of *Queene Elizabeth*, which for my part I adhorre to mention, though some doe not to preach and practise them, by which opinions as they are tyed together like *Sampsons* Foxes by the Tayles, so there is a firebrand betweene them which is able to set an whole kingdome in a combustion. Of such as these one may say as *Saint Paul* said to *Titus*, there be many unruly men, vaine talkers and deceivers, who doe subvert whole houses, speaking things they ought not, whose mouthes must be stopped, least they subvert whole kingdomes.

Mart. in Libel.
3. pag. 28.

Dr. B. Dange-
rous positions.

Tit. 1. 10. 11.

3. Orderly:
Feare God first
and then the
King.

But now as we must feare God and the King, so wee must feare God first, and then the King: the feare of God will teach us so to doe, and not feare the King the lesse for that, but the more and the better. The first must bee the grand worke of the last, piety the foundation of fidelity. Obedience to God, produceth allegiance to Kings. God must bee first and chiefly served, Kings in him and for him. In him because my obedience active must bee governed by his precepts. For him, because my obedience passive must be regulated by his example, and susceped for his sake, who suffered himselfe not only to bee bapti-
zed

zed with death, by wicked Pilate. He that observes not this order will confound his service by disorderly feare, and give the feare which he oweth God, to the King, and so become a Sycophant, or give the feare which he oweth his King, to God only, and so become seditious under a colour of being religious, for wee must feare God first, and principally, and then the King.

For the King must bee served in relation to God for hee hath set them as Gods, and by him Kings Raigne: *Psal. 82. 7. Prov. 8. 15.* yet they be but earthen gods, and yet gods they are, and every earthen picture must not expect to be such a vessell of honour, least the bramble exalting himselfe to be a King, *a fire come out of the Cedar and consume the bramble and a fire come out of the bramble, and consume the Cedar, Judge 9. 15, 20.* which commonly comes to passe when, *solvuntur cingula Regum & legum*, Reverence to Kings and Obedience to Laws are loosened from the loynes of Royalty and Loyalty also. The summe of all is this. *Peare God, and keepe Ephes. 6. 2. his Commandements, that is the whole duty of man:* and one of his Commandements is to obey the King, and Honour Him: As appeareth in Commandement the fifth, *which is the first Commandement with promise.* Therefore feare God and the King, and blesse God wee live under such a Prince as will give us leave first to feare God, and then him. Againe, so feare as that you love, for feare hath painefulnesse, *timor odium spirat*, the spirit of feare profits not where the spirit of love is not. Feare God so as it may direct us to the right feare of the King. And feare the King in some measure as ye feare God; He that feares God is loath to forsake him, so we must feare our Kings, as bee loath to desert them. Let not this sentence be writ upon our signe posts for a memorandum, and wee forget it.

Tert.

C

Peare

Feare God and honour the King.

Hab. 2. 11.

Least a voyce cryeth out of the timber, and another answereth out of the wall, and proclaime our sinne. But consider every King is either Gods golden Scepter, or his Iron rod, by which hee breakes in peeces many a vessell of clay. Let us as farre as Gods Word injoyne us, submit our selves to both, and not strive to weing Gods rod out of his hand, least we acquire to our selves the more stripes. Therefore meddle not with those that are given to change.

Negative part.

This is the Negative part of the precept, *meddle not*, which,

1.
Eph. 6. 12. 13.

First, Shewes that true feare is of a restraining nature and breeds a Systole or a drawing backe of the breath, as if afraid to put the hand or the tongue to evill. Say not as Saint Aug. warneth, *quid mihi & regi*, what have I to doe with the King, unless you will say also, *Quid mihi & possessori*, What have I to doe to possesse the goods I have.

Aug. Super. Jo.

2.

Secondly, It sheweth the full extent of Obedience which proceedes from true feare, namely as it keeps us from meddling with change so with those that are given to it.

3.

3. Thirdly, It shewes us as the feare of God will make us cautious how we change our God, or our Religion, so a true feare of the King, will make us take heed how we change or desire to change our Governours. So that as this part hath relation to the feare of God, it warnes us we should not meddle with those that are in religion; As it hath relation to the King, so it warneth not to meddle with those

those that are *judicious*. And therefore as it is most *tru-*
dable for a State to root out superstition; So is it not lesse
commendable to oppose Rebellion.

Wee are warned therefore here, not to *meddle* with
change nor *changars*. Not to be *given* to it our selves, nor
meddle with those that are given to it.

First, Not to *meddle* with it. *Meddling* is to make a
meddle or mingling. So that in *meddling* with change is
understood a mingling of things to make them alter from
their proper state and being, as in making of colours di-
verse colours are mixed or meddled together; and from
thence comes a change, So man being a creature by nature
affecting Novelty is apt to *meddle* with *change* though it
bee from better to worse, and this is rooted in him ever
since the first *change* he made in Paradise. From hence it
is that every new forme appearing to us, We first *meddle*
with it in our phantasie, and before judgement can de-
termine we suffer it to mingle with our affections: From
whence followeth a desire or a being given to change.
But considering what ill successe *Adam* had in changing,
it is good to be advised. Seldom any change is made but
it costs much trouble, though it be for the better as sicke
bodies to be made well. Yet to recover health is worth
trouble, and against such *change* the wise man speaks not;
but against the affectation of it as against people who
are given to take phy sicke more for fashion than neces-
sity or for wantonnesse than want, and so sometime stirre
humours, to the bodies ruine.

To avoyd this humour of change we must looke back
again, *fear* God and the King, that will keepe downe the
the humour.

Then looke on the danger of changing.

First, Of changing God. Go to the Isles of *Christians*.

I.
1er. 2. 10, 11.

See hath any Nation changed his God, or his Religion, and shall we ours for popery or any other which may corrupt the Protestant? God forbid.

Judg. 17. 6.

Againe, for changing Kings consider if men affect to change for none, see the misery of such a state, *Judges 17. 6. There was no King in Israel, whete Micah brings in Idoles.* So *Judges 18. 1. Therewas no King,* and then

18 1.

19, 1.

Dan went a robbing. So *Judges 19. 1. There was no King,* and then the *Levites* wife was ravished, and afterwards they tooke the daughters of *Shiloh* by force.

1 Sam. 16. 9.

2 Sam. 3. 1.

Luke 19. 14.

Againe if men affect *changing* for others, as *Samuel* for *Saul*, it brought great trouble, God gave that King in his wrath, and yet as bad as hee was *David* durst not meddle to make a *change* though for his own advantage, for saith he to *Abishai* who can stretch forth his hand against Gods anointed and be guiltlesse? For had he suffered it, he had but taught away to destroy himselfe another time. Nay if *Sauls* House be changed for *David* (the farre better choice) yet much bloud it cost, and therefore meddle not with it without meere necessity enforce, but remember those that said in the Gospell, *Nolumus hunc regnare*; and therefore as wee would not meddle with *changing*, so not with *changers*, or with those that are given to it.

Medlers.
Kab. Sa'om.

Those that meddle some calls *homines duplicantes*, doubling men, who fold one thing within another, speake one thing and meane another; men of a dark light saith others, who are twilight men, they doe things by halfe lights, that is, their actions are of a mixed colour, not perfect white, not perfect blacke; their actions are like *Linsley Woolsey*, zeale and malice, knowledge and ignorance carnall policy and piety, so they make a medley or a confusion.

There-

Therefore *Ne commiscearis, ne confundaris*, be not mixed least you be confounded, as *Moses* said, *Numbers* 16. 26. Seperate your selves from these men, least you bee consumed in their sinnes. For as the simple people that followed *Abfalom* fell in the wood of *Ephraim*, so male-contented persons by being given to change, bring themselves into an intricate wood, out of which they cannot exrricate themselves. The people with whom wee are not to meddle are men who are apt to change, like the Moone, and in their mindes, and like the tide they love to carry all things in their owne current. The word in the Hebrew is *Shonim*, which some translate travellers, or plodders, that plod on and journey in sinne: that travaile or take much paines, as men in a journey, and walke on in the counsell of the ungodly, though mercy hath often passed by them, yet they iterate, and itenerate in mischief.

Changers.

שׁוֹנִים

Psalme 1.

Others read it for detractors. Meddle not with men that have slanderous tongues, such as *Shemei* and *Nabal*, who laid too hard charges upon *David*, so *Corah* upon *Moses* and *Aaron*, that they tooke too much upon them; but that fault was their owne, for *Moses* and *Aaron* had their just calling to it, but so had not they. Envie had laced them so straight, that they could admit of no government but their owne.

Numb. 16. 3.

Others read it seditious. Meddle not with the seditious such as was *Abfalom*, who bewitched the people with a faire tongue, saying *there is none deputed to doe you justice*, but if I were in place, all should be well or the like and thus with words of vanity, he beguiles the hearts of the simple, 2 *Pet.* 2. 18, 19.

2 Sam. 15. 3, 45

Others read it changeable men, or men of various dispositions. It may be men that like a balance are apt to

turne with a graine or like a Weather Cooke with the Winde, who love to Ring the Changes, because they are more delightfull for variety, but not so easie nor so orderly.

All these senses may be understood here for the word is of a large signification especially considering that all mens travayling in detraction and sedition, is but for a change, and shewes men of changeable dispositions. For first men revolve in their minde some discontent, and then resolve every one in the secret of his owne private heart.

1. First, To detract, for after bigge swollen thoughts come vaine reports, like Fame who succeeded the Giants, which breeds as bad effects, as open Warre. For these reports bite deep, the word here comes of (*Shen*) a tooth, and *David* said that his Enemies teeth were speares and arrowes, and their tongues a sharpe sword. Vnto such belongs this caution. *If you bite one another take heed lest you be consumed one of another.*

Psal. 57. 4.

Galat. 5. 15.

2.

Secondly, They proceed to sedition, after *Shemei* comes *Sheba* alwayes. Sedition followeth detraction at the heeles, which is nothing else but a departing from the tracts of true reason, Law, Custome or Religion, with a violent motion toward some change affected, as wee see oftentimes in *Israel*, who poore soules complained often of their Governours, when they were not straitned in them, but (as were the *Corinthians*) in their owne bowels like children who sometimes complaine their Cloathes are too strait when their bellies are too full, to them belongs that lesson. *Be no longer children tossed to and fro with every winde of doctrine.*

2. Cor. 6. 10.

Ephes. 4. 14.

Thus we see what changing is. I think we have no reason to meddle with it. And if we have any mind to avoyd it.

First,

First, neither detract your selfe, nor give an eare to detraction. For the one hath *diabolum* in *e*, the other in *auza*. One hath an evil spirit in his tongue, and the other in his eares, if hee heare it with delight. The one was *Schemes* his flane, the other was *Sauke*.

Secondly, Animate no man to sedition as *Sheba* did who blew the Trumpet saying, *Wee have no part in David*.

Thirdly, Nor be no man to further it as did *Achitophel* with his counsell.

Fourthly, Nor be no assister in it as *Iosh* was to *Adonish*, and *Abiathur* the Priest by his prayers, when *David* was weak.

Fifthly, Nor harbour any whom you know so, to bee as did the Citie *Abeth*.

Sixthly, Nor furnish them as *Sichem* did *Abimelech* against the house of *Gidran*.

Therefore as *Daniel* said to *Nebuchidnezzar*, so say I to all of what condition soever. Let this counsell bee to thee acceptable, that if it be possible, it may be a lengthening of thy tranquillity. And well may this counsell be taken.

Daniel 4. 27.
Loving Counsell.

First, because it is loving counsell, it comes from a Father, and therefore we may conceive it good, for seldom or ever you found any father to give evil counsell to his Child, though he be bad himselfe. For nature rejoiceth in the prosperity of posterity. *Devils* in Hell would have his brethren forewarned of that place of torment, to which himselfe was damned. Though some Fathers have lesse charity than *Devils* or lesse wit at least, who care not to educate their children in true wisdom, nor knowing that their Children being damned with them will bee a meanes to increase their owne infernall sorrows.

Lewis.

A Sermon preached

Lewis the Eleventh of France is much to be wondred at therefore who brought up his sonne Charles at Ambois without literature as Guicciardine reports, hee hardly knew the formes of Letters, but only let him learne this sentence in Latine, *Qui nescit dissimulare, nescit regnare.*

This was Councell more like *machiaui*, then a King, to teach his sonne to bee a dissembler. A good Fathers counsell speaks better things to children. They are called in Latine *Patres a pate faciendo*, from opening their hearts to Children, or a *patrando* for doing much for them, or a *patiando*, from bearing much with them, such a Father is God above all. Such an one for counsell is Salomon, and every good Minister by the word of exhortation.

Arifl.

If coming then from a Father, receive it as children, for if from God a Father so good, and Salomon a King so wise, *Consentaneum est ex melioribus ortos esse meliores*, we should bee the better being advised by the best Parents: and as wee please our selves in supposing God to bee our Father in giving us this Counsell, so let him be pleased in us by shewing our selves his sons, and ready to take this counsell.

Inducement.

But if this prevaile nor, yet consider it is wholesome counsell like preventing phyfick which may be as an Antidote against destruction, for hee saith as an inducement not to meddle with change, *their destruction shall come suddenly.*

Wherein we will consider,

1.

First, The certainty of the judgment, it shall come.

2.

Secondly, The manner of it *destruction and ruine.*

3.

Thirdly, The quicknesse or unexpectednes of it, (*suddenly*, it comes sudden.

4.

Fourthly, The inexplicablenesse of it, *who knows it.*

Certainty.

First, Of the certainty, it shall come.

Judg-

Judgement hath feete of Wooll but hands of iron.
 God saith *Psalm 50.* I winked and thou thoughtest I was
 like thy selfe, but I will set before thee in order the things
 that thou hast done, for sure our God will come and not keepe
 silence. He bends his bow and makes it ready. Hee loves to
 wait that he may be gracious to us, and forbear that hee
 may have mercy upon us, although mans sinnes are such
 as that the very Poet could say,

---- *Non sinunt Iovem ponere fulmina.*

Hor.

So then if the sinner turne not, hee will whet his sword.
 He is yet but whetting, I would wee would take counsell
 and meet him by repentance, while he is a farre off, and
 crave conditions of peace, *Ne justitiam restrictiorem in ju-*
dicio exigit, quanto longiorem ante iudicium patientiam provo-
cavit, least judgement be the larger by how much it stay-
 eth the longer. Oh save God a labour, *peccatum puniatur*
a te ne tu pro illo puniaris. Punish thy sinne least thou bee
 punished for it, *Et peccatum tuum iudicem te habeat, non pa-*
tronum, be not a Patron to thy sinne, but a judge, and then
 I hope, Nay I am sure this destruction will not come, or
 if it do, we shall laugh at destruction when it comes. For
 when the Net shall be spread upon all, yet some fish shall
 bee but transported out of these muddy waters, into the
 sweet streames of Paradise, and some birds to sing among
 the quire of Angels. For though it is certaine, come it
 will, yet as God is loath it should come, *Hosea 11.8.* How
 shall I give thee up Oh Ephraim, how shall I deliver thee up
 Oh Israel, how shall I make thee like Admah, how shall I set thee
 like Zebaijm? my heart is turned within mee, my repentings
 are kindled together: Yet his resolves are certaine, being
 pressed under as a Cart is pressed with sheaves, so that we
 must put him to the Quare what could, I have done more
 than I have done to my Vineyard? and Oh my people what have
 I done to thee?

Luke 14.32.

Greg. in Evang.

Aug.

Job 5.12.

Hosea 11.8.

Isaiah 5.4.

Micah 6.

I done to thee, or wherein have I wearied thee; testify against me? So I know in that day he will distinguish betwene the precious and the vile though it bee to others a destruction and a ruine.

Munier.

The manner of this judgement is such. Destruction implyeth some violence: as if such as feare not God and the King should not die a naturall death, which indeed is never called destruction but a dissolution rather; for violence doth destroy before the time, and destruction is a kind of pulling down, not repaire again or to build, but to lye waste like old *Troy*, which became, *Corpus sine nomine*, a body without a name, Nay not so much: for destruction extendeth to all manner of being, so that a man shall not say this was *Iezabel*, except to their infamy; for destruction pulls downe house, body, name and fame.

2 Kings 9. 37.

Ruine.

And therefore most iustly is this judgement called a ruine, because such men, *perenns funditus*, they perish as it were by the mothers curse, which rootes out the foundation. So that such men like old ruinated houses shall drop in peeces, as faire houses wanting inhabitants doe, which for sin they must want, saith the Prophet, though it may be some think as *Cicero* saith, *Piscinas suas fore salvas amissa Republica*, that though the Common-wealth be ruined, their houses shall stand. But let them not deceive themselves for the sword of destruction knoweth no difference, as that Commander said in 88. betwene an English Papist, and an English Protestant when things are once in confusion.

Isaiah 34. 1.

Cicero ad Attic.

Suddenly.

But the worst of all is, this shall come suddenly. It shall rise suddenly, as the *Hebrew* word sheweth (רָאָה) which signifieth a vapour as well as destruction shewing, First, That it shall rise like a vapour suddenly ere one be a ware of it: So,

I.

Secondly,

Secondly, As a vapour riseth from that upon which it falleth, and so doth destruction fall upon those that hath framed it, as yce comes of water, and to water it turneth : they fall into the pit they have digged, and the mischief falleth upon their owne pate, which they have imagined.

Thirdly, Againe a vapour is extracted by the heate of the Sun, so is their destruction by the wrath of God, and the anger of the King.

Fourthly, And as a vapour vanisheth suddenly, so shall they in their destruction, their Image shall vanish out of the Citie, I looked for him saith *David*, but his place could *Psalm 37.36* no where be found.

Well then being it comes upon a sudden like a Theife in the night, and so man knoweth not his time, but like a bird taken in the snare, and or a fish in the net so is man in the evill day when it falls suddenly upon them. For as men riding in a mist, when it is gone finde themselves sometimes where they would not : so those that walke in the Clouds of obscurity, as they thinke no man descries them, so neither doe they descry their owne danger till it discover it selfe suddenly. *Eccles. 9.12.* *2 King. 6.16.*

Therefore what manner of men ought we to be in all godly conversation and honesty, since it comes suddenly, and therefore they cannot escape, for God will shoote at them, who obey not his precepts, with a swift arrow suddenly, that they shall be wounded. *Psalm 64.7.*

But yet if this were all, we might hope of some end of it, but the wise man will put us in no hope of that, for hee saith it is inscrutable, *who knoweth the ruine of them both.* Where wee see, First, that neither can exempt himselfe from destruction. Neither he that feareth not God, nor he that feareth not the King, nor he that feareth neither God nor the King, they that are medlers against lawfull

Prov. 11. 21.

authority or he that medleth or mixeth with them, both are threatned here. *Though hand joyne in hand, yet not one shall go unpunished.* So secondly, we see the punishment is inscrutable, and as farre as I know eternall.

1.

Acts 20 30.

First, Inscrutable in his beginning not comming with a loe here! or a loe there! but as in the Church, men doe and shall arise from amongst our selves speaking perverse things, so even from amongst those that feare neither God nor King, may arise some, whose hearts God may so turne, as they may bee a meanes to bring ruine upon the rest.

2.

Secondly, Inscrutable in the manner, for who knoweth what kinde it shall be. *Baiazet* little thought of the Iron Cage in which *Tamberlaine* carried him, who intended so to carry *Tamberlin*. Nor *Perillus* thought not that he should have roared first in his brazen Bull.

3.

1 Sam. 10 16.

Isaiah 30 33.

Deut. 1. 1.

Romans 13.

Thirdly, Wee know not how long it may last, for it may reach so farre as I know even to hell, for who knows when it will end? We know that *Tophet* is ordained of old, yea for evill Kings it is prepared, and I believe not lesse for evill subjects if they be such *Tophets*, such fooles to be led aside, or such *Achitophels* such kinsmen to fooles, as that they neither feare God, nor the King, for Saint Paul tells us that such receive to themselves damnation.

2 Tim. 3. 5.

If we would avoyd the penalty, then avoyd the sinne, otherwise it will fall upon us. Upon them that feares neither God nor King, which is meere Atheisme, and Libertisme mixed together, or God without the King which is to make a shew of godlinesse, and deny the power of it, to keepe a forme of piety in the first Table, and deface it in the second. Or that feare the King without God, which is to love the praise of man, more than the praise of God. Or that feare God before the King, which is meere

meere flattery, if not Idolatry, and such men will trans- Prov. 28. 21.
 gresse for a piere of bread. Therefore let us avoyd all
 theie, and feare God, not without the King. For if
 God said Amen to Davids Curse on the Mountaines
 of Gilboa as Saint Ambrose observes, *Armerunt montes* Amb. in Lib.
maledicto prophetico, after Sauls death upon them, they
 died away, and the grasse did not thrive there, how
 much more will the imprecations of good men take ef-
 fect upon those who regard not these precept. It cost
 Absolom the hanging, and Achitophell an halter of his own
 purchasing Iob his life, after hee had taken sanctuary.
 Abiathar his Priest-hood. The Citie of Abell a seige,
 and it might have proved a sacking, if there had not been
 one woman in it wiser than all the men. Sheba his head,
 and Sichem an utter ruine event to the sowing of salt upon
 it to season all posterity. Coreh and his company such a
 ruine, as who knoweth, how farre it went, event to the
 lowest pit so farre as we know.

Besides all this it is wise counsell. For it is spoken to Wise Counsell.
 the wise, It is such as wise men usefull to give and take.
 Of which wee may say as the Angell said in the Revela-
 tion. Here is wisdom. *Let him that readeth, it consider.* Rev. 13. 18.
 It is not spoken to fooles, whom if we bray in a Morter,
 yet will not be the wiser.

But to those that either are wise and judicative, and this
 may make wiser, or those that are wise optative, in wish
 seekers for wisdom. Or those that think themselves
 wise, and are onely wise supposative, and are the great
 active braines, and stirring spirits, and by that means
 would be thought wise.

Let none of these refuse this honest counsell, this holy
 advice. Nor those that are the stickling malignant spi-
 rits, who thinke themselves wiser than King, Parliament,

A Sermon preached

or the whole State beside, let not them refuse it, but let them remember to be subject not only to the King, but to those that are sent of him: For in them, they are subject to him. If they be or would be wise, let them not strive to divide the body from the head, and make the State like the Serpent called *Amphipsoena*, who had an head at either end, which by diversity of attraction bred distraction, and so broke the body asunder in the midst. And let us all study in the feare of God, the thing which belongs to peace, that there be no *breaking in* nor *leading out*, nor no *complaining in our streets*. I speake as to wise men, judge you what I say saith Paul. And here the only wise God, and the wisest King speaks though the weakest preacher. *Cape tu quod suum* for wisdom, *quod tuum* for duty, *re-mitte quod meum*, for infirmity sake, or in charity at least.

Rom. 14. 19.

Psalm 144. 14.

Psalm 21. 3.

Pro. 20. 28.

And let us all pray for the King, to God, and for all that are in authority, That God would give the King his judgements and his Righteousness to the Kings Son, that whensoever we looke how he reigneth wee may remember also by whom hee reigneth. In whose strength, Let the King rejoyce O Lord, and make him exceeding glad of thy salvation. Mercy and truth, preserve the King, and let his Throne, be established by mercy, that by his meeknesse and vertue, and the wisdom of his great Councell, the Parliament meeting together thy people may bee comforted and thy inheritance blessed in this world, with the Truth of the Gospell in peace, and obtaine at last those heavenly places appointed for them in *Iesus Christ*, to whom together with the father and the Holy Spirit three persons and one only true God be given all honour and glory for ever. Amen.

FINIS.

ERRATA.

In the Epistle Dediatory, Red for read.

Page 5. line 25. leave out him or, p. 10. l. 31. after baptiz'd, read (with water by Saint John Baptist but also) page 11. l. 10. read pitcher for picture. p. 15. l. 10. leave out and, p. 19. leave out must, p. 22. line 31. read (that fears the King above God) page 23. line 24. read *Indicativ*.

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A ⁹
SERMON
PREACHED
AT

GRAYES-INNE,

October 2. 1642.

BY
THOMAS FVLWAR,
Doctor in Divinitie, and Bishop
of Ardtfert, in the Kingdome
of Ireland.



L O N D O N,
Printed in the yeare, 1642.

A
SERMON

PREACHED
AT

GRAY'S INN

ON MONDAY

THOMAS FAVINAR

Doctor in Divinity, and Bishop

of Exeter, in the Kingdom

of England



LONDON

Printed in the Year 1641

honorably I shall encourage
the worthy Gentlemen, and
Inhabitants of the Parish of
S^t. Andrews HOLBORNE.

Hate Ingratitude as Witch-
craft. To witnesse therefore
to the world, both your curte-
sie to me, and my thankful-
nesse to you, I give you this
Piece, intended for your Pulpit; but be-
ing occasionally called to *Graves-Inne*, de-
livered there what you should have heard,
and but once; you may please now to see,
and often, and in it the reality of my desire
to retribute something: You know what
S. Peter said to the Creeple, *What he had bee*
gave him: you have been the chiefe prefer-
vers of me and mine, since our escape out
of *Ireland*, where we had onely *our lives for a*
prey, and those lives your bounty hath hi-
therto cherished. Which yet, doth not
more oblige me, then the loving accep-
tance of my weak indeavours; with which

encouragement I shall chearfully proceed
still in my poore labours; and shall thank
my self amid all my misfortunes very hap-
py, if you shall so esteeme of me as I am
and desire to expresse my selfe,

Yours in all faare respect



THO. ARTEFERTENST.



LUKE 2. 48.

Thy Father and I have sought thee sorrowing.



HE seasonableness of this Text, and how it suits our case at this time, I need not spend many words to shew: They are the words of the blessed Virgin to her Son, and imply, and contain in them, The losing of Christ had; The seeking of Christ lost, and the finding of Christ sought.

They had enjoyed their Son twelve yeares together, and now it was their hard hap to lose him: Longer have we enjoyed him by farre then they did. We have had him in his Word rightly taught, in his Sacraments duly administered, and for a signe and confirmation of his blessing upon these, more then fourscore yeares of peace, to the wonder of our friends, and envy of our adversaries. But what shall I say now? When the Angel said to Gideon, *The Lord is with thee thou mighty man*; Gideon answered, *O my Lord,* Judges 6. 13.

Lord, if the Lord bewith us, why then is all this evill befalln us? Surely, so may we conclude, God hath now withdrawn himselfe, because Peace, his greatest blessing upon earth, hath now forsaken us: Gideon, and the Israelites groined then under a forain Enemy, We for want of foes abroad, as if we were ambitious of feud, weary of ease, and thirsty of our neighbours blood, must quarrell one another: Of all plagues upon a Nation, Warre is the worst; witness holly David, who rather chose Pestilence, then the sword to destroy him: And of all Warres, Civill is the most destructive, the miseries whereof are next to the torments of hell, which no tongue is able to expresse, O then is God with us, when such unnaturall discord is fallen between us; When God was angry, he sent an Evill spirit between Abimelech and the Shechemites, which consumed them both; Here is an Evill spirit now among us, and a flame breaking out, which if not quickly quenched, will consume us root and branch, Our selves are going the way to destroy our selves from being a people upon the Earth.

2 Sam. 24. 14.

Judges 9. 23.

Luke 19. 41.

*When Christ beheld Jerusalem, he wept over it, and said, O if thou hadst known in this thy day the things which belong to thy peace, but now they are hid from thine eyes. He saw their sin, and foresaw their sufferings; and the one as the other caused him to weep: oh! our sins are hideous, and our sufferings will not come short of theirs, if we prevent them not, our state will prove *Felo de se*,*

as your phrafe is, and it will be arraigned at Gods
 Tribunall, as guilty of self-murder. Whom will
 we spare, that will not spare our selves? and who
 will pity us, that will not pity our selves? Wee
 pray every day in our Letany, That God would
 deliver us from Battell and murder, yet, good
 Lord, how inclinable are some men, even to that
 they pray against! Nay, which is more, and I
 know not whether it be more to be deplored or
 hated, There are of our Long-robe, *whose feet*
should be beautifull for the glad tidings of peace Rom. 10. 15.
 they should bring with them, that are preaching
 in the place of the God of peace for Warre.
 Whenthe Disciples would have had our Savi- Luke 9. 44.
 our to have fired a Town for their uncourteous
 refusall of him lodging, he forbad them, and
 told them, *They knew not what spirit they were of;*
 Good Lord, what spirits are these men of, that
 adde sewell to this fire which flames too hot al-
 ready! The Apostles were commanded, that so Luke 10. 5.
 soon as they entred a house, the first word they
 should say should be, *Peace be to this house:*
 Whose Disciples are these, that have nothing in
 their mouthes, but Arme, kill, and destroy?
 Scatter thou the people, saith holy David, that de- Psal 68. 30.
 light in Warre. Cursed be their rage, for it is fierce, Gen. 49.
 and their wrath, for it is cruell; and into their secrets
 let my soule never come. We in Ireland have al-
 ready smarted under the misery of such Warre,
 God of his mercy keep it from you here in Eng-
 land; But *pro quo Orandum, Laborandum;* They
 who sit at the Helme, it is their Office to deale in
 B matters

Psal. 106. 23.

Exod. 33. 15.

Luke 8. 37.

Luke 24. 29.

matters of State, and seek the best way of atonement, our indeavours must be in another kind, to settle peace above, to shew how to work a reconciliation between our incensed God & us, to stand with *Moses* in the gap, and pray our selves, and by our devotion enkindle others likewise, that we may all joyntly say, *If thy presence goe not with us, send us not up hence*: We are not I hope of the *Gadarens* minde, to desire Christ to depart our Coasts, rather with the two Disciples we will say, *Domine, mane nobiscum*: And if he be gone, as I feare he is, with these two holy Saints here, we will goe in earnest quest of him, seek him, and never give over till we have found him; for so the blessed Maid implies in her speech, *Thy Father and I have sought thee sorrowing*.

I see that before I was aware, I have divided my Text already, and told you the order how I must proceed in the handling of it:

1. The losing Christ had.
2. The seeking Christ lost.
3. The finding Christ sought.

I.

Mal. chi 3. 6.

Jonah 2. 8.

I told you but now, that *Moses* besought Almighty God not to leave his people, but go with them still. Though God be, as himselfe saith, *Ego Deus & non minor*, unchangeable, and his delight is to be with the children of men, yet we need not goe farre to see the cause why God that had brought that people with so mighty a hand, and out-stretched an arme from Egypt, would now leave them in the Wilderness. *They embraced lying Vanities, and so forsook their own mercy,*

mercy; they left him by sin, and he left them by Justice: He had not been true to himselfe, but contradicted his purity, if he had stayed with them that had so trespassed; God will not be, but either where no sin is at all, or where there is sorrow for sin; for, *quem penitet peccasse, pene est innocens*: The people he loved, but their sin he hated, and that drove him away from them. But what sin had the blessed Virgin committed? What evill was she now guilty of, that the joy of her eyes, and the delight of her heart should now leave her? *Elizabeth* wondred, *Vnde hoc quod mater Domini venit ad me?* May not we much more wonder that the Lord of that Mother should now absent himselfe from her, of whom though we may not so much dote as our Adversaries, to say she was as innocent as her Son himself, yet we may without offence, I hope, say as the holy Text speaks of *Zachary* and *Elizabeth*, that she was just, and walked blamelesly, *sine crimine*, though not *sine culpa*, *sine querela*, though not *sine peccato*? What cause should this harmlesse soule give? Twelve yeares together she had enjoyed his blest society, over whose infant-yeares so indulgent was her care, as by her paines and travell she made Egypt a Sanctuary to him, which had been a house of Correction to the Israelites; and after her return, never did she wilfully transgresse in ought to displease him, or faile in ought, which should witnesse her dearest affection to him.

Luke 1. 43.

Like 1. 6.

To the annuall celebration of the Feast she

goes, nor would she goe without him, in whom her life did consist, and during the time of her abode there, he was with her. But at her return, (the word, for sympathy of griefe, will scarce come out) he staies and leaves her. But why did she go to it? she had a *continuell Feast*, a quiet conscience within her selfe: besides, she had the Lord of the Feast, her Son with her. For no other cause, but because she knew not how to disobey authority: what her Son said afterwards concerning his Baptisme, *Suffer it to be so now, for so it becomes us to fulfill all righteousness*; that the Mother now practised: Her son, *ne perderet obedientiam, perdidit vitam*; and so now his Mother, to shew her selfe obedient, lost him that was dearer to her then her life.

Math. 3. 15.

What is written, is written for our instruction, and the Saints practise should be, if not our precept, yet our example, and should teach us that publique *obedience* to Lawes established, is farre more acceptable, then all private *sacrifices* whatsoever.

1 Sam. 15. 22.

Ecclef. 7. 2.

Oh how palpably true is that of Solomon; *It is better to goe to the house of mourning, then the house of feasting*? for here she loseth him, whom she had so long kept with her: For us now to lose Christ at feasts, is no new, nor strange thing, for we commonly lose our selves at them, turning our *laughter* into so much *folly*, as we even make of our *mirrh* madnesse.

Ecclef. 1. 1.

Mat. 9. 23.

The Minstrels, which I remember Christ once shut out of doores in the Gospel, we with so much

much greedy delight entertain, as their gingling quite hinders us from affording Christ either room or audience among us. But for this Innocent Virgin, *Full of grace*, as the Angell called her, that she should lose him, is still our wonder. I know *sin separates between our God and us*; but what sin doe we reade of that she offended in? carefull she was of her son in preserving him, and giving him the best breeding that she could; and the best breeding was, that she brought him to the Temple; well might she say then, *Fili cur sic fecisti nobis?* What offence had she ever given him? wherein had she ever offended him? Is this the requitall of her twelve years care? This the guerdon of her unwearied love & labour, that now when his yeares should yeeld her most content, he should leave her? Had he been meere man, we might have excused it by the *descent* of love; The Angels of love come down faster and oftner on the Ladder, then goe up; but being God as man, our wonder is heightned; *Hath God forgotten to be gracious, and will he shut up his loving kindnesse in displeasure?* Will he absent himselfe from those that prize nothing so deare as his society? He, who though *he be provoked every day*, yet is *loving to all*, yea *to his enemies*: he that sought out *Adam* when he ran from him, how comes he thus to his dearest mother? We must with silence lay our hands upon our mouthes, and knowing it was the Lord, conclude, That the reason of his doings may be somtimes secret, but never unjust: He whose chaire is in mans heart,

March. 9. 23.

Luke 1. 28.

Isay 59. 2.

Psal 77. 9.

Psal. 145. 9.

Gen. 3.

1. heart, and sees there as in publique, saw more then we can discern; May be that ardency of affection was somewhat cooled by this twelve yeares constant fruition, she did not so highly prize his company as was fitting; What the naturall man spake, the Christian finds true, *Beneficia carendo*, blessings are sooner spied by want, then by enjoying; Now then to set a greater price on his presence, that she should esteeme it according to its value, he is pleased to withdraw: How welcome was the day after that multiplied night to the Egyptians? and how highly was *Jacob* pleased with the news of his son *Iosephs* life, whom he supposed dead? *I will goe down and see him before I die.*

Gen. 45. 28.

2. Besides, she had a greater task then this to undergoe; It was prophesied to her, That a sword should pierce through her soul; And that was, when she was to see him hang on the tree, and to lie three daies in the Grave; It did but prick her now onely to prepare her to her greater triall; She must learn to endure a faire longer absence, and must be *weaned* quite from his bodily presence.

Luke 2. 35.

3. And withall she must be taught that her Son had a Father in Heaven, whose businessse he must go about: All the world must be profited, as well as she pleased, and they must be redeemed, as well as she satisfied; therefore as our first *Adam* said, *A man should leave Father and Mother for his Wife;* so this our second *Adam*, to expresse his infinite love to his *Sponse*, the Church, having left before his

Gen. 2. 24.

his Father in heaven, now leaves his Mother on earth, to initiate that businesse which he must, and will afterwards accomplish, even by the laying downe of his owne life for their Redemption.

But did Christ leave her indeed? did not she rather leave him? Is not he that *came to seek that which was lost*, now lost himselfe? as *Ioseph* was lost while he went to seek his brethren: Did not they leave him at the Feast, and goe away without him? May we not say, (with reverence to her person) here was a kinde of *Incuria* at best, a lesse care then ought to be? They went away both, and both went by thoughts and suppositions: We say, *Insipientis est dicere, Non putaram*; And it was some folly to say, *Putaram*, if it be true as the Jews say, That the men went apart by themselves, and the women by themselves, so *Ioseph* thought he was with his Mother, and she supposed he was with his Father. Would they yet travell a whole day without a sight of him, to advance their opinion into a knowledge, and so to have been ascertained he was amongst them? Thus even the best will grow sometimes remisse; *Can a Mother forget her child?* It seems she can; *the best of Mothers here forgets the best of sons,* *and so jealous is God of those he loves, as he will not endure the least Act of unkindnesse or unthankfulness in them: Servants and strangers may goe away with greater errors, when the Son that is beloved shall finde a lash for the least offence: The not beloved ones, wicked and ungodly men,*
may

Luke 19. 10.

Gen. 37.

1 Cor. 49. 29.

may run on in sin even till they *grow old*, and sin like withered leaves shall drop and fall from them before they leave it, and in all that time never meet with a whipping; but those that are deare to God, deare to him as the *Apple of his eye*, his chosen ones, they shall be snibb'd and curb'd, and punished upon the least delinquency; which, howsoever it may *seeme grievous* for the present, yet at last they will say with *David*, *It was good for me that I have been afflicted*; for these afflictions instruct as well as correct, and as they punish, so they teach them their duties.

Zach. 2. 8.

Heb. 12. 11.

Psal. 119. 71.

Luke 16. 26.

Hab. 1. 13.

Lev. 10. 3.

1 Cor. 14. 40.

2 Cor. 13. 11.

Thus have we seen Christ lost. The Saints in heaven so happily have him, as they cannot lose him, the *Bridegroom* cannot now be taken from them; the damned in hell have so unhappily lost him, as they can never finde him againe, *χαῖμα μέγα*, a great gulfe there is, which they can never foord to finde such a blisse, onely we that live on earth, can both lose and finde him. It was carelesnesse at worst in them, but our wilfull sins drive him from us; *He is a God of pure eyes*, and cannot indure to see any pollution; and how doe we *wallow* in all uncleannesse? He is a *holy God* and will be *sanctified of all that come neare him*, or that he comes neare unto, and what haste doe we make to run into all prophanenesse? He is a *God of order*, and how doe we unhinge all by confusion? He is a *God of love*, and how full of malice are our hearts? He is a *God of peace*, and we dote upon strife and contention? *He rests not* but upon *she meek and humble*, and how doe

we

we advance our selves even above all that is called
 God? Let us never flatter our selves, and think
 these sins and Christ can dwell together; *God and*
Dagon could not be in one house in the old Law,
 nor *God* and *Belial* in one heart in the new. We
 see the shoales of these sinnes, which have driven
 him from us; God make us sensible of the want
 of him, and wanting him, give us grace to seek
 him as these did; And so I come to the second,
 The seeking of Christ lost: *Thy Father and I*
have, &c.

2 Theff. 2. 4.

1 Sam. 5.

2 Cor. 6. 15.

The night which curtains all things else, like
 a friendly and faithfull counsellor now discovers
 this want, which the flattering day would not tell
 them of. Then they were so full of discourse and
 businesse as they had no leisure so much as to
 think him absent, the fairnesse of the way, and
 the Company of their friends, did so pleasant
 their Journey as they scarce minded him, till the
 day was spent, and they retired to their Inne, and
 then when they thought to betake themselves to
 their repast and rest, they perceived that he, with-
 out whom they could not rest, was wanting.
 Oh the happinesse of a silent night retirement!
 all the day we spend in *turmoile in the world*, some
 wandring, as some of the Jews, in the fields of
 Egypt, *picking straws* of folly, things, which may
 perhaps please the sense, but I am sure cannot
 profit the soul, whiles others with the rest of the
 Jews are busied in *making brick*, labouring as in
 the fire for *very vanity*, and producing onely such
 things

2.

Psal. 78. 32.

Exod. 5.

Hab. 2. 13.

Rom 6. 21.

1 Sam. 13. 13.

Luke 8. 14.

Psal 39. 6.

Ilay 36. 6.

Ier. 2. 19.

things of which we may aske as the Apostle did, *What fruit had ye then in those things whereof ye are now ashamed?* Others with Ionathan and his Armour-bearer are climbing the steep and dangerous rocks of preferment, whiles others are scratching and wounding themselves even to the quick, with the *shiny cares of this world*, and all to get that wealth which they *know not who shall enjoy*; and amidst these things, profit, pleasure, and preferment, there is no leisure to minde Christ; but when night comes, as certainly it will come, and wee are plucking off our cloathes, and going to bed, then wee shall finde the want of him whose company before wee little cared for: When any night comes, as there are more nights then one, the night of sorrow, or the night of sicknesse, the blither of that long-long night of death, and we are left alone, and all those former witchcrafts of the day, like those *Reeds of Egypt*, not onely faile us in our need, but *pierce our hands*, and wound our soules, and our joyous and blithe company, like vermine out of a falling house, run away from us and forsake us, then wee shall by wofull experience finde, *Quam malum & amarum est dereliquisse Dominum*, how evill and bitter a thing it is to forsake our God: When affliction nakeds us of all those *Figge-leaves*, wherewith in the day of prosperisy we did dresse and pride our selves, and denudes us of all sinister and vain thoughts;

and

and redeeming us out of the throng and noise of the world, delivers us to a solid consideration, whether Christ, which should have been not onely our *Companion*, but our *guide* through this *Wildernesse of Sinne*, and *Valley of teares*, be with us yea or no, and if not, then we shall think it high time to goe along with these good people here to seek and finde him out. Had the day been lengthened out to that in the dayes of *Hzechiah*, ten degrees more, I make a question whether they had yet mist him, or been so happy as to have seen their unhappinesse; but now the darknesse brings that to light, which the dazeling of the day, and Sun-shine before would not let them see, and being now made sensible of their misse, they will not give their eyes any sleep, nor suffer the temples of their heads to take any rest, till they have found him; Now they redeeme their former carelesnesse by a carefull seeking him; what in their mirthfull journey they lost, their sad and diligent enquiry makes abundance of amends for: It was never truer then now, that *Extrema gaudii luctus occupat*; Sadnesse brings in the Voyder, where mirth layes the Cloth; nay the griefe for their losse, farre surmountes the joy of their Feast; and if they severed before, *Ioseph* in one company, and *Mary* in another, and so lost him, they unite now, not failing either in the maine of seeking, which tels us their industry, or in the object of their seeking, *Him*, and *Him* alone, which shews their sincerity,

Isay 38. 8.

Psal. 132. 4.

nor in the manner, internall sympathy, *both sorrowing*, and externall agreement, *both together*, one teaching us *unity*; the other *uniformity*; *Thy Father and I, &c.*

These are the branches which now should be shaken; but I shall but gather *a berry or two* off of each of them, cutting off something, as he in *Plutarch*, which I should say, not to offend in prolixity, their *industry* in that they seek, their *sincerity* in that they seek him, their *unity* in that they seek him both in sorrow, and their *uniformity* in that they seek him both together.

1.

Luke 15.8.

Ibid.4.

Psal.30.7.

We are not to learne what it is to seek, when we lose any thing wee highly prize; our eyes, and hands, and feet are all imployed: See but the poore woman in the Gospel that had but *lost her groat*, how diligently shee sought, and swept every corner of her house till she found it; and look upon the *good Shepherd*, wandring all over the mountains to finde his strayed Lambe. Indeed if Christ bee once lost, he will not readily be found. What trouble did Saints of old put themselves unto, when God hid his face from them? *Thou hidest thy face*, saith *David*, *and I was troubled*: Troubled indeed in minde and in body, to get a glimpse of that glorious countenance shine againe upon him. Hee is not easily lost, but by extreame carelesnesse and neglect; but when wee will lose him, hee is not easily to bee found: you may see it here, They lost him but one day, and it was the the third day before

before they could finde him againe. The first and best happinesse is to keep him, to say as *Iacob*, *Non dimittam te, I will not let thee goe unlesse thou blesse mee*; but the next to that, is presently to misse him, and upon that misse to seek him with all diligence, and without delay. Wee are all, or would be thought to bee, *Generatio quarentium, A Generation of those that seeke God*; but wee seek not as wee ought, we seek as shee did in the *Canticles*, *I sought him in my Bed, I sought him, but I found him not*. Carelesse, sleight, perfunctory seeking will not doe it; The *slugard lusts*, and his soule hath nothing, saith *Solomon*, because hee doth but lust. Bad men though they live the lives of the wicked, yet with *Balaam* they desire to die the death of the righteous; but desires alone will not availe, and yet I feare such is all the paines wee spend about it.

Jesting *Pilate* asked, *Quid est veritas?* but he went away not caring to be resolved in a question which he thought of so small concernment: so there are many, *Qui non curant quarere, qui tamen cupiunt invenire; cupiunt consequi, & non sequi*. If wee seeke him upon the downy Beds of rest and ease, it is impossible we should finde him: *Foxes have holes, and birds of the aire have nests; but the Sonne of man hath not whereon to repose his head*. *Pilate* was not satisfied that onely made it Table-talk: Nor

- the woman that sought at her ease, did not finde; *Watchman, what in the night?* cries the Prophet: The morning comes, and also the evening, *O si queritis, querite*; If ye will seek, do it indeed, and to some purpose, and doe it both while ye may seek, and he may be found:
- Isay 55. 1. *There is a time for every thing under the Sun*, saith Solomon; The time which God allowes us for our seeking, is *Primum querite*, seek him first, *while he may be found*: for that speech in the Prophet, implies there is a time when he cannot be found at all; *Esau* in the Old Testament, and the *five foolish Virgins* in the New, shew to their griefe that he may be sought when he will not be found. It is true I reade in one place, *That Hee is found of them which sought him not*; and *S. Paul* may be instanced in, whom Christ found travelling to *Damascus*, and never thinking of it; But that is not to be made a precedent of no more, then because some men have by chance found wherewith to keep themselves all dayes of their lives, others should not labour upon the like hope of the same fortune: But our safest and most warrantable course is presently upon the first misse of him to seeke him: *Seeke and seeke him, cum*, not *alind in eo*, Him for himselfe, and for no other by-respect: The people in the Gospel sought him, but it was for the *Loaves* wherewith they were fed, and not for love, as himselfe told them; What *S. Paul* said to his *Corinths*, *Nam vestra*,
- Isay 21. 11.
Ecclef. 3. 2.
Matth. 6. 33.
Isay 55. 6.
Gen. 27. 34.
Mat. 27. 11.
Isay 65. 1.
Acts 9.
2.
John 6. 26.
1 Cor. 12. 14.

*frased vos, not yours, but you, that we must say to Almighty God, Thee, and thee alone, O Lord, doe we seek: Let us comply with Davids Echo, Seek yee my face; Thy face, Lord, saith he, will I seek: Let Demetrius, and his fellow craftsmen, if they will, magnifie Diana, because they lived by making her silver shrines, but let Christians be otherwise minded, and think that godliness is gaine sufficient for them, and so with holy Job, trust in God though he should kill them. He loves not God at all, that loves any thing besides him; nor doth he seek God at all, who seeks ought but himselfe; and indeed, what need they seek any thing else? for having him, they are sure of all things, *ἐν χριστῷ*, whereof they have need, though peradventure not *ἐν χηρῶν*, which they may fantasie a use of: All are yours, for ye are Christs, and Christ is Gods, saith the Apostle.*

Psal. 77. 8.

Acts 19. 26.

1 Tim. 1. 6.

Job 13. 15.

1 Cor. 2. 23.

No marvell now if losing such an one, they were both sad, which is the third thing, and teaches us unity of affection, according to S. Pauls advice, to keep the unity of the Spirit in the bond of peace.

3.

Ephes. 4. 3.

How did Jacob mourn for the losse of one Son in twelve? and how did David lament for his lewd son Absalom? but when the Text speaks of a griefe not to be paralleld, it is as of one mourning for an only son. Who of us loseth a friend, a child, or a wife with dry eyes? how incomparably deare beyond all these is Christ to a soule?

Gen. 37. 35.

2 Sam. 18. 33.

Jer. 6. 26.

Let

2 Cor. 7. 10.

John 11. 36.

Isay 53. 3.

Psal. 16. 11.

Aug.

4.

Let us not prodigally then lavish away our tears for such toys as these, (for so I may call them in comparison) but reserve them for better purposes. Fruitlesse is all griefe in the world but this; I do not speak of that *worldly sorrow which causeth death*, but even that griefe which we may take, for such losses as I spake of can doe us no good; could we shed rivers of teares, it could not revive a dead friend, or recover a lost estate, or an empaired health, onely shew how *wee love them*, as they said of Christ weeping for *Lazarus*, but not profit us in the thing lost at all. And abundance of teares which may blinde our eyes, if spent for any things here below, makes them more cleare to finde him, who will not be found but in sorrow; he is *vir dolorum*, as *Isaiah* calls him, and so must be sought; *In his presence is joy, and at his right hand are pleasures for evermore*: Needs then must there be sorrow and discontents at his absence, which wee are not sensible of, because wee value him not; but *Da Christianum & scit quod dico*, he knows that there is no joy to the finding of him, nor no sorrow to that when hee is lost: Blame not these then to be sad, and to goe both together in pursuit of him, which is the last, *They went together*.

I will not trouble you with the signification of their names, *Mary* signifying a *bitter Sea*, and *Ioseph*, fruitfulnessse, sorrow for sin past, and fruitfulnessse in good works for the future, being the way to finde him; but only commend unto you, *Exter-*
nall

nall uniformitie. They lost him when they were
 asunder, and therefore go together to finde him :
 and indeed, how should they seek him that is all
 love and peace, but in love and peace? *God the* Heb. 13. 20.
Father is the God of peace : *God the Sonne is the* I say 9 6.
Prince of peace : *God the Holy Ghost is the Spi-*
rit of peace : His Gospel is the *Gospel of peace*, and Gal. 5. 22.
 his Ministers are, or should be, the *Ministers of* Rom. 10. 15.
peace. Can we think then of seeking him with
 sword in hand? *First goe and agree with thine Ad-* Mat. 5. 24.
versary, and then come and offer thy gift, saith him-
 selfe in his Gospel; no gift will be accepted from
 those which are at strife: First make peace one
 with another, and then we may hope to finde the
God of peace, and the peace of God.

But it concernes me to speak more of Ecclesi-
 asticall peace then Civill; O, for the *divisions* in
 the Church, *What great thoughts of heart are there!* Jud. 5. 15.
S. Paul condemned the Corinthians when they
said, I am of Paul, and I of Apollos, and I of Cephas: 1 Cor. 1. 12.
Is Christ divided? saith he: That *seamlesse coat of* Mat. 27. 35.
Christ, which the *rude souldiers* spared, how is it
 now rent in pieces by our disorderly divisions?
 When every one doth in the Church, as it was in
 the Book of *Judges, quisque quod rectum in oculis,* Judg. 17. 6.
 Every man that which is *good in his own eyes :*
 And it was so then and there, *because they had no*
King,—— Griefe suffers me not to speak more
 of this, onely to pray with holy *David,* and say, P sal. 102. 13.
The time is come that thou have mercy upon Sion, yea
the time is come. With such words and such grief
 we may at last finde our lost peace, and serving
 D God

Psal. 110. 3.

3.

God in the *Beauty of holinesse*, finde Christ as these did: which is the last of all; *The finding Christ sought. Thy Father and I, &c.*

Ephes. 1. 18.

Mat. 16. 17.

Acts 17. 23.

Cant. 3. 2.

May 45. 19.

Psal. 105. 3.

Heb. 6. 10.

As we must seek Christ *while*, so *where* he may be found. Each thing hath τὴν ὥραν, and τὴν χώραν, as his *nunc*, so his *ubi*: All was well hitherto in their seeking, but now we shall finde something was amisse, they sought right for the *manner*, but wrong for the *place*: It is no blinde mans work to seek, *The eies of their understanding must be enlightened*, or it will be to no purpose: They sought him among *their friends and kindred*: He that consults with *flesh and blood* (for they are our kindred) can never finde Christ. It is nor nature nor reason that can bring us to him. Hence the wise Heathen seeking a *Deity*, in stead of one God found many, and finding many, found none at all; and therefore at *Athens* there was an Altar erected τῷ ἀγνώστῳ θεῷ, To the unknown God. That Spouse in the *Canticles* that sought Christ in her Bed, sought him likewise in *the streets, and broad places*, but could not finde him: So these, neither in the waies, the fields of pleasure and delight, nor in the streets of Jerusalem, amid the throng and hurry of worldly occasions, till they came to the *Temple*, and there they found him: God said in his Prophet, *Ye shall not seek me in vain*; but at last, *Letetur cor quærentium Deum*: for God will not alway forget the labour and love of those that seek him, but at last they shall finde him as these did, in the *Temple*, among the *Doctors*, and in the *middest of them*.¹ The place, ² The company, ³ and his

his posture, of these in one word.

Thy way, O God, is in the Sanctuary, saith David; Psal. 77. 13.
non in penetralibus, non in deserto, saith Christ him- Mat. 24. 16.
 self, not in the desert, not in private Chambers.
 We cannot go without bodies to seek him now,
 but *in Spirit*, *Seek him with our whole heart*, as *Moses* Deut. 4. 29.
 said, and so we may finde him on earth, that is,
 bodily ascended up to heaven: In his *Temple*, where Psal. 29. 9.
every man speaks of his honor; there we shall finde
 him in our prayers, the publique prayers of the
 Congregation, and therefore it is called, *A house* Mat. 21. 13.
of prayer for all people: We shall finde him in his
 Word speaking to us, and we shall find him in his
 Sacraments, wherein he offers himselfe to us; and
 all these are duties to be performed publicquely,
 no where, unlesse in case of extream necessity, but
 in *Temples*, places consecrate, and set apart for such
 purposes; Here was Christ found at first, and
 here he is to be found still, however our fond
Seſtaries, whose *blinde zeale* mis-leads them, may
 think any place good enough to seek Christ in,
 and so contrary to *S. Paul*, who puts a flat diffe- 1 Cor. 11. 22.
 rence between *private houses and Churches*, will
 yet confound them, grounding upon words of
 Christ to the woman of *Samaria*, misfunderstood,
That the time shall come, when they shall neither wor- John 4. 21, 22.
ship in Samaria, the Temple built there, nor at *Ie-*
rusalem, but in Spirit and Truth: What he spake of
 the worship in *Samaria*, who worshipped God in
 the likenesse of a Dove, and so not in *Truth*, and
 at *Ierusalem*, where it was in *types and shadows, sa-*
crifices, and externall things, even then when the

1 Cor. 11. 22.

Levit. 26. 2.

Mat. 19. 6.

Mal. 1. 7.

Substance himself was come, and so not in *Spirits*; that they misapply, that there should be no *Temples* at all; and so they go even there to finde him where Christ said directly he was not, *non in penetralibus, non in deserto*; and so even *despise the Church of God*, as *S. Paul* complained, or if they do come to it, how doe they make it a *common* place, by their prophane and rude demeanour in it? Can we think this pleasing to Christ, that twice whipt the prophaners out of the third Court, in the Jews Temple? At his first Passeeover, *Ioh. 2. 15* and at his last Passeeover, *Mark 11. 17*. And you must know that it was the third Court into which those *buyers and sellers* came, and not into the second, where none but native Jews, much lesse the third, where onely the Priests were admitted, and yet that outward Court would not he suffer to be abused. God in the Old Law joyned the *Sabbath* and the *Temple* together, *Ye shall keep my Sabbaths, and reverence my sanctuary*; and what God hath joyned we may not put asunder; and yet these men that are so carefull in the observation of the one, how violent are they in the neglect of the other? How doe they despise even the most holy place, (if there be in our Churches any place more holy then another) the place where, and the holy Table whereon we receive his *blessed body and blood*, eventhat I say as the Prophet complained, *is despised*: As those obstinate ones that will not come, should be whipt in, so these abusers of it should be whipt out: And I doubt not, but as this is not the least of our sins, so it is not the least cause of our

our sufferings: Which God of his mercy amend and pardon.

In the *Temple*, and among the *Doctors*.

As the *Temple* is the place, so these are the men with whom we shall finde him; not every one, but they that are *set apart*, *separated*, may or can shew where Christ is; *If the blinde lead the blinde*, you know what will follow. Those Fishermen that Christ made *Apostles* of, hee conversed with three yeares, and miraculously inspired knowledge and language into them according to his promise, *Dabo vobis os & scientiam*; But such miraculous infusion now ceases, and Artisans may not presume to take that businesse upon them. It is observed, that *doceo* must have two Accusatives: *doceo te scientiam*: They that take upon them to Teach, and have not the *Key of knowledge*, as it is called in the Text, may *wrest the Scriptures*, as S. Peter saith, *to their own destructions*, but can never open them right, or shew Christ.

With the *Doctors* he was then, hearing and posing them, and so he will be still with such as he hath appointed to be sent as *Labourers* into his *Vineyard*, who must with their private endeavours, pains, and studies, get *knowledge* first themselves; (*The Priests lips should preserve knowledge*) and then derive it to others.

Sitting with them, and in the *midst*; which is the last.

Christ is still observed to be in that place; when he was born, *in medio animalium*; when hee died, *in medio latronum*; In heaven, in the *mid-*

Rev. 2. 1.

Mat. 6. 5.

Luke 11. 43.

Psal. 37. 11.

dest of the seven golden Candle-sticks; and in the Temple now in the midst of the Doctors; that is his place still: The Pharisees they loved corners in the streets, and uppermost seats at Feasts: The morall is, They were byast, partiall, and sinisterly affected people, which Christ loves not; and who-soever seeks to finde Christ, must goe with an eaven minde, he must be like seasoned timber, neither warp one way for feare, or another way for hope, nor lean a third way for any private respect, but go on in truth and in sincerity, in unity, and in uniformity, and by such men, and none but such Christ will be found: And peace (which alwaies accompanies him) even abundance of peace will be restored to our Israel, and prosperity to our Sion; Which God of his infinite mercy send.


 Amen.

 F I N I S.

JUAN CARAMUEL ^{10.}
LOBKOVITZ.

Religioso de la orden de Cister Abbad.
De Melrofa, &c.

CONVENCIDO en su libro intitulado, *Philippus prudens Caroli V. Imper. filius, Lusitania, &c. Legitimus Rex demonstratus*. Impresso en el añ.º de 1639.

Y

En su respuesta al manifesto del Reyno de Portugal, Impresa en este año 1642.

DEDICADO

A Don Anton. d' Almada embaxador extraordinario del serenissimo Principe DON JUAN Rey de Portugal, al serenissimo Principe CARLOS Rey de la Gran Bretaña.

POR

El Dotor ANTONIO de SOUSA de MACEDO, del supremo Senado de Justicia de su Magestad de Portugal, y su Residente por la Embaxada ordinaria junto a la persona de su Magestad de la Gran Bretaña.



EN LONDRES

Impresso, por Ric. Herne, An. Dom. 1642.

REVOLVED





A

Dom Antão D'Almada,
Embaixador extraordinario del
Rey nosso Senhor em In-
glaterra.



*Liberdade, que a patria deve a V.
Excel. na restituicao de seu
legitimo Rey, fica mais glo-
riosa justificada pella boca
de seus inimigos; o mais pertinax foi até-
gora João Caramuel; mas, já convencido
da verdade, vem confessar seu erro diante
de V. Excel^a; para que pois V. Excel^a deu
tão feliz principio, e tão memoravel exe-
cução a aquella empresa, lhe ponha tam-
bem*

bem este ultimo esmalte, E lbe chamei-
mos obra toda sua. Elle se convenceo a si
mesmo, como com evidencia mostra o papel
presente ; a mim se deve sô a vontade com
que de sejo fazer a ventajados serviços a S.
Mg^{de} e dedicar maiores trabajos a v. excel^{ta};
a qual espero empregar em outras occasiões,
pois nestame faltou materia, para satisfazer
a minha obrigação. Em Londres, &c.

ANTONIO de Sousa
de Macedo.



Prologo.

EN un libro que llegó a mis manos; intitulado, *Respuesta al manifesto del Reyno de Portugal; Por D. Juan Caramuel Lobkovitz, &c.* he visto que su Autor se quexa En general de los Portugueses, y en particular de mi, porque no respondiamos a otro libro que há impresso en el año de 1639, a que llamó; *Philippus prudens Lusitania, &c. Legitimus Rex demonstratus*. Pareciome que affectava la fama que ganó el Machiavelo solo por los que escrivieron contra el. Con todo por no parecer soberbia el despreciarle, y porque procuro siempre atajar las quexas que de mi pueda aver; me dispuse en este breve tratado a responder a entrambos los de Caramuel referidos, que contienen una misma cosa; y porque en ellos ay puntos, cuya censura no tenia lugar en los discursos següientes, y quiero decir todo lo en que reparo

A 2

por

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por dar entera satisfacion a su quexa, los reservé para aquy.

No me detengo en censurar el modo en que repartió su Philippe, una vez por titulos; otra por quæstiones; ya por §§; ya por disputas; intrometiendo articulos, separando objeciones, haciendo notados, diuidiendo conclusiones; y finalmente recopilando en aquel libro todas las maneras de escribir que se hallan en quantos ay en el mundo, con que es un laberinto tan intricado que no ay hilo que pueda servir de guia.

No reparo en lo futil del *Libro 1.* del uno y otro tratado, que se passa en noticias generales de los Reyes Portugueses no necessarias para el intento.

Dexo lo extraordinario de nombrar siempre los *Fernandos* por, *Ferrandos*, que, si en Latin puede passar, en romance es una impertinencia.

Peccados veniales son aquellos y otros, que a vista de los mortales quasi non parecen; veamos estos.

Inadvertencia inexcusable fue escribir su *Philippe* para justificar la occupacion de la Corona que el Rey Catholico possiea avia sessenta años; quando

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quando fuera mas fazonado un libro de advertencias para gobernarla bien. Y formase la culpa de la ocasion que le movió a escribir, queriendo persuadir el derecho de su Rey a los que se temia que lo murmurassen : que confiada es la justicia! estos temores no pueden ser imaginados sino por la desesperacion de tiranos, y usurpadores que tienen siempre delante delos ojos al importuno objecto de su crimen, y temen todo aquello que merecen ; como elegantemente notó il sieur Lesfargues en el lib. 1. de la vida del grande Alexandro. Y deste modo hizo tirano, y usurpador a su Rey ; lo qual ni deviera pensar.

En esta respuesta *pagina 17.* glosando el manifesto de Portugal, arguye que nuestro serenissimo Rey quitó el tribunal de la santa Inquisición en sus reynos, si es así o no, no se lo digo aquí; vaya a Portugal predicar las opiniones que tuvo en sus libros tocantes a la Religion, y sabrá si la ay. Solo advierto que en esto sigue la mala razón de e stado de los ministros Castellanos que desesperados de otro camino solicitan el odio de los Catholicos contra Portugal, publicando por varias partes, y particularmente en Alemania entre ignorantes que hemos dexado la santa fee

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de la Iglesia Romana ; nescios que (sin que sus falsedades puedan poner una pequenã macula en el splendor de la religion Portuguesa ;) a-
cresciantan la occasion que tuvo el Bocalino en la *pietra del paragone* cap. 4. para decir de la Monarchia Hespanõla : *Avanza ogni altra reyna, & presente, & passata nel saper con il manto di doppio brocato ricoprir ogni suo ancorche diabolico interesse.* Y en el cap. 3. *Gli huomini tutti. vengnero in chiara cognitione li Spagnuoli essere stati primi auttori di quell' incendio Francese, che con speciosissimi pretesti di religione, & di carità al mondo tutto s'eran Sforzati dar ad intendere di voler ismorzare.* Y augmentan los motivos con que H. de Rohan, en el libro de *l'interest des Princes, & Estatz* discurso 1. referiendo las traças de que usa el interez de Hespanã, escribe : *La premiere est fondee sur la religion, come celle qui par conscience fait entreprendre toutes choses aux peuples ; il faut témoigner un grand zele á la Catholique, a fin de servir d'elle en ses desseins.* Y justifican las causas con que el Autor de *Catalonia iterum ad Lilia perfugiens*, s. ò beatior Fernande, exclama que los Castellanos por su interez de estado atropellan divino, y humano, *simulato religionis conservanda*

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de, aut propagandæ pretextu; fovendo tamen hæresicos in Francia, vitendo Angli in schismatis ipsius exordio ad Galliæ imperium Christianissimum destruendum, & permittendo ut interim Lutherani in Germaniâ publicè prædicarent; undete, successores que tuos Catholici Regis nomen, non propter Religionem, sed ad regni unæversalis ambitionem assumpfisse multi suspicantur. Dixit quæ appositè historie scriptor aliquis instructissimus, regna quædam ultimo sæculo hæresibus fuisse infecta, sed Hispaniam esse pessimâ imperij corruptam ratione, ejusque salutem multò difficiliorem videri: O, no ya nescios, fino maliciosos ministros, que tan infamemente dais ocasion a que mal affectos se atrevan a la Christiandad incorruptible de toda Hespanã! Ladren quanto quisieren apasionados e strangers, que el Catholico zelo de los Reyes Castellanos es Olimpo superior a sus tempestades; y solo queda infamado quien dá causa a calumnias semejantes.

Miserablente yerra en las historias Portugueas mas notorias. En su *Philippe* en uno de los proœmios que intituló: *Occasio scribendi*: versific. *Ioannes tertius*, dice: *Ioannes 3. Lusitanicas quinas (sic ipsi nominant) septem Castellis circumcinxit,*

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cinxit, Sacramenta Ecclesia Catholica significantibus. Siendo cosa ran sabida que el Rey D. Alfonso 3. puso los Castillos tresientos años antes por el Reyno del Algarbe; y assi el mismo Caramuel olvidado de si, en las effigies que alli trae de los Reyes Portugueses pinta al proprio Rey D. Alfonso, y despues a la Reyna Santa Isabel; y al Rey D. Iuan 2. con los Castillos en los escudos de sus armas.

En el mismo Philippe lib. 1. tit. Ferrandus 1. escribe. *Infans Joannes magister Aui sensum caliditate Regina Leonora persuasus uxorem suam esse adulteram leviser credidit, inque Conimbricensi civitate violenta manu interemit;* Siendo que el Infante que mató su muger no fue el maestre de Aviz, sino su hermano que tambien se llamava Iuan hijo del Rey D. Pedro, y de D. Inez de Castro; como dice el mismo Caramuel encontrandose lib. 3. disp. 11. q. 2. art. 1. n. 12. ibi: *ex pulcherrima Agnete suscepit Alfonso qui puer obiit; Ioannem de Portugal qui duxit D. Mariam Tellez, Regina Leonora sororem, hujus Regina com filio Ioannes occidit Mariam.* Y lo repite lib. 3. disp. 11. q. 2. n. 19. en la segunda impresion commendará esta contrariedad.

En

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En el mismo lib. 1. tit. *Joannes 1. versic, fuerat*, dice del Rey D. Juan 1. que, *erat Diaconus*, oyó que el summo Pontifice lo avia dispensado para casar (por el voto que tenia, como los otros Cavalleros de ordenes militares en aquel tiempo, por ser Maestre de Aviz;) y piensa que es porque tenia ordenes de Evangelio.

En el mismo tratado lib. 5. in proem. §. 1. n. 3. dice: *habuit etiam Emanuel Infantem Henricum Cisterciensem monachum S. R. E. Cardinalem, &c.* Y otra vez §. 2. in princip. comienza: *Superstite Monacho Rege; nempe Henrico.* El pobre religioso oyó que el Rey D. Henrique avia sido Abbad de Alcobaça, monasterio de Cister, y pensó que aquella Abbadia era como la suya, de Melrosa; y segun esso dirá tambien que era Monge Cisterciense el Cardinal Infante D. Fernando porque fue tambien Abbad de Alcobaça.

Pero como puede saber lo que pasó en Portugal en otro tiempo quien ignora lo que oy passa? en la respuesta al manifesto en su principio, *al que Leyere*, por fingir que mucha nobleza de Portugal sustentó en esta ocasion las partes del Rey de Castilla, en compañía de pocos nobles que fueron infieles a su patria (que es

22

imposible

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imposible faltar algunos en casos semejantes) calumnia otros sin rason, y nombra muchos de qualidad mui diferente con fundiendo todo con ignorancia notable.

En la misma respuesta *lib.6. cap. 8. n. 58.* pone estas palabras accusando a Manuel de Moraes. *En la plana 20 habla con nosotros como si no supiessemos quien fue la Beltraneja, y lo mucho que debió España a su continencia, y cordura lea Moraes historiadores, y borre todo aquel discurso.* Este conlejo deve tomar para si el reverendo Padre, pues no solo censura a Moraes erradamente, mas tambien con temeraria lengua pretende calumniar la honra de D. *Iuanna* (que es la que llamaron la Beltraneja) Princesa verdaderamente por confesion de todos, castissima, y Santa; equivocá su nombre con lo de su madre a quien solo, y no a su hija, se atrevió la malicia de algunos; y en consciencia deve restituicion a su memoria, porque ni todos los que leen sus libros advierten en la simplicidad con que escribe.

La indecencia de sus palabras es mucho para ser reprehendida; en la respuesta citada *lib.6. cap. 8. n. 56;* dice: *Vanagloriarse de proteccion celeste es gloria vana; el cielo, (direlo aunque*
pefo

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pese a los pronosticos) no gobierna ni dirige las acciones humanas. Claro está que no se trata ally de la proteccion de estrellas; proteccion celeste es la de Dios; con equivocacion mui mala niega que Dios gobierna el mundo; heregia viene a ser, como apuntamos a otro proposito p 2. n. 14. dixo esto reprobando tambien a Moraes no me espanto; que anduvo mui infeliz en su censura como, demas destes puntos, se ve en otro de que tratamos 5^a. p^a. n. 38. §. examina.

De las uniones hypostaticas que hace in Philippe lib. 5. disp. 3. q. 2. art. 4. n. 9; & disp. 8. q. 2. art. 4. n. 14. y en la respuesta al manifesto lib. 6 cap. 3. Tratamos en la 5^a. p^a. n. 38. §. en 3^o.

Finalmente es cosa admirable que un hombre se atreviesse a escribir en materia de tanto peso, y en que devia saber que seria leydo, y aun impugnado de doctos, sin tener mas caudal, ni noticias que las que contiene una alegacion que en Portugal se hizo en tiempo del Rey D. Henrique en favor de la Sen. D. Catalina para la causa que se ponia en el juisio que el Rey D. Philippe recusó; llegó a su poder, como el confiesa en su Philippe lib. 5. in proam. §. 4. n. 10. y en otros muchos lugares; todo lo que escribió Sacó de ally

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como mostro en la 4. p. n. 27. en el principio, y en el versic. lo que mas es, y n. 29. versic. las otras Leyes. Y no se hallará que pusiesse cosa substancial de su casa; verdad es que usó mal della, como digo 4.ª p. n. 26. y n. 32. versic. todo confiesa, y n. 33. versic. contrá, y n. 34. versic. concluye, y aqui a reciento que la trasladó tan sin sentido, que in Philip. lib. 5. disp. 8. q. 2. art. 2. n. 5. refiriendo por la misma orden los doctores que la alegacion cita, continúa así; *Antonius Gomes indist. l. 40. Tauri.* Y luego; *Antonius Gabriel n. 16* y mas abaxo; *Rojas d. n. 36.* como si ya uiera alegado estos Doctores, y que se referia a los lugares apuntados; siendo que no avia hasta ally hablado dellos; y los citó desta manera, porque aquella alegacion q. 3. n. 10. los cita por estas palabras por quanto los avia citado mas en particular en los numeros precedentes; pero nuestro doctor *Caramuel* fue como aquel de quien se cuenta, que trasladando un papel que otro avia echo; y hallando en el fin de la primera pagina esta advertencia; *buelta la hoja*; la trasladó tambien.

Por todo esto el Anonymo Lusitano (cuya elegancia rara, y erudición grande le hace bien conocido

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conocido, Y de quien parece que no tuvo noticia Caramuel, pues no le respondió, o no le atrevió a hacerlo) que tradujo la alegacion dicha de jure succedendi in Regn. Portugallie, in fin. Corollario 4. versic. quanquam dice del. cum hio author nihil ferme in illo opere præter bonos caracteres boni habeat; quem cum legaris elementa tantum probes; pudeat que te tam præclaros typos tam male collocatos videre, mas yo le embidiara la confianza si fuera mejor fundada; Con mucha puede responderme, y decir todo lo que su sacundia le dictare, que no estoy con pensamiento de replicarle palabra; porque tengo mas en que ocuparme que en dar satisfacion a lo que el está imaginando en su celda. Pídele solamente (por el cuidado que tuve de quitarle la ocasion de sus quejas con esta respuesta) que no le venga ala imaginacion pensar que el reyno de Portugal (como el publica por acreditarse) ha se caído de sus escritos; porque le asseguro lo contrario; y que el censurar el manifesto algunas de sus proposiciones, fue porque, siendo el, escritor, o escriviente mas moderno, es fuerza aver trasladado las que ubiessse de otros, aun que no le diessse autoridad; escuse decirle alguno en

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nombre de Portugal, loque Iusto Lipsio al Dia-
logista en el principio de su respuesta: *Egotecum?*
si visum mihi litigare, alius esset cum quo confererem
manum; nam ut ille ait,

Trophæum ferre me à forti viro pulchrum
est;

Sin autem & vincar, vinci à tali nullum est
probrum.

At tu quis es? ignotus es; imo tu quis es? nimis no-
tus es.

Resta a hora que pues estan deslumbradas sus
obras (que es solo loque aguardava como nos dice
en el fin de la respuesta al manifesto) salgan aluz los
otros trabajos que Caramuel nos promete to-
cantes ala corona Portuguesa; para que (segun
es su fortuna en estas impresiones) si al punto en
que salió a luz su *Philippe* alcançamos la liber-
tad de nuestro reyno; saliendo a hora otra obra
suya conquistemos alguna cosa de nuevo.



Erratas.



Erratas.

Algunas ay, principalmente en n. n. a que faltan tildes para liquidarlos; estava el Autor ausente en Torck, quando se imprimia; no se hace aquy tabla de las emiendas, porque el hacerla pertenece al P.^o Dotor Iuan Caramuel, como en su libro de la respuesta al manifesto, lib. 6. cap. 5. se ocupò en hacerla de las erratas del libro Anonymo: Portugallia, &c. que se imprimiò en la Oficina Elzeveriana.



1872

1872

A
I have been thinking of you very much lately
and wondering how you are getting on
in life. I hope you are well and happy
and that you are making good progress
in your studies. I am sure you will
succeed in everything you undertake.
I am your affectionate friend,
John Doe





PARTE I.

Convence el primer titulo que propone
Juan Caramuel pagina 72. con
 estas palabras.

*Es verdadero Rey de Portugal D. Philippe el Grande por ser Rey de Leon ;
 excluyendo a todos los successores de D.
 Alfonso Henriques, que le negò al Rey
 de Leon la devida obediencia, y se le-
 vantò con la corona.*

Trata de probarlo en todo el libro 2. y lo
 toca lib. 1. tit. D. Alfonso 1. y tit. D.
 Philippe 1. y lib. 3. cap. 2. n. 23. y re-
 spondo.

I. **F**Vndalo en la donacion que D. Alfonso 6
 Rey de Leon hiso al conde D. Henrique
 en el ano de 1090, que hace oy 652 anos
 B y el

y el Arçobispo D. Rodrigo Ximenes Castellano en su historia, *lib. 7. cap. 15.* confieſſa que ni Don. Henrique, ni ſus ſucceſſores dieron jamàs el reconocimiento, a que ſe dice que la donacion obligava, y aſſi es mas antiguo eſte titulo de lo que pide la cauſa preſente; porque, aun que en los Reynos ordinariamente no aya preſcripcion ſegun las leyes civiles, tantos ſeculos la inducen por el derecho de las gentes fundado en raçon natural, y aun por el civil; principalmente aviendo titulos baſtantes para juſtificar la conciencia, (comouvo en Portugal, no ſolo baſtantes, ſino mui legitimos,) que a no ſer eſto, como canonizaria la Igleſia por ſanto al grande Rey de Francia Luis 9; ſino reſtituyò el Reyno de que ſu aſcendiente Hugo Capeto 280 años antes avia privado por armas los deſcendientes de Pepino? o que Principe ay que pueda derivar ſucceſſion recta de tantos ſiglos? yo no pretendo que Caramuel deſienda la uſurpacion de Eſpana por los Godos cuyos herederos ſellaman los Reyes de Caſtilla; ni latirania conquie Alfonſo 3. y Ramiro 2. de León ſacaron los ojos a ſus hermanos, y primos, que tenian derecho ala corona, por poſſeerla pacifica; porque no vamos mas lexos, vea
la

la successiõ de los Reyes Catholicos no de 652 años a esta parte, mas de solos 300 en quasi todos los estados de que se nombran senores; hallará que el Reyno de Castilla en este tiempo fue usurpado quatro vezes, S. por D. Al^o y su muger D. Berengaria a D. Blanca muger de Luis 8. Rey de Francia; por D. Sancho 4. al Principe de Lacerda; por D. Henrique 2. al Rey D. Pedro; por D. Fernando, y D. Isabel a la Princesa D. Iuanna. El de Leon tres vezes en la misma manera; Aragon, Valencia, Cataluna, y lomas perteneciente a estas coronas por el Infante de Castilla, D. Fernando a D. Isabel condeça de Vrgel; y despues a D. Iuanna, y D. Violante hijas del Rey D. Iuan. 1. Navarra, y Napoles por el dicho Rey D. Fernando el Catholico, a quel alos Reyes Iuan Albretano, y D. Catalina; este a D. Al^o 2. y a su hijo; el ducado de Milan alos successores de los Esforcias; y el Senorio de Biscaya por D. Al^o 11. a D. Iuan el tuerto. Mal sirve a su principe quien refucita cosas tan decrepitas, de que el Rey Philippe 2. (que lo mirò mejor) no se valiò en sus alegaciones, y asì fuera de menos enfado alos Letores, y de mas credito al Autor no meter se en tales embaraços, pe-

ro pues quiere, y aun atribuye a falta de justicia lo que fue sobra de cordura en no responderles, será bien que le mostremos su engano, porque no imagine que carecemos de razones para contradecirlo, como yo pienso que el no las halló para dar satisfacion por menor ala respuesta que hise a Pellicer.

2 Antes de todo, no es para passar en silencio que la parte contraria no tiene probado perfectamente el fundamento de su acción; porque ay duda en el feudo que suppone por cierto, pues es buena opinion que no lo uvo; y Manuel de faria en su *Épitome 3. par. ca. 1. n. 9.* llama o mal informados, o no bien affectos los escritores que dixeron lo contrario, y de aquella donacion sin tal clausula hace mencion el manuscrito que con respeto refiere el mismo Caramuel en esta respuesta, y en su *Philippe, Lib. 1. tit. del Conde D. Henrique*; y siendo ordinarias en España semejantes donaciones de grandes estados, y aun de Reynos que los Reyes dividian entre sus hijos sin obligacion de reconocimiento por causas del bien publico que consideravan, como avia echo D. Fernando par de emperador, Rey de Leon, y Castilla, D. Sancho el maior rey de Navarra

Navarra y otros, es mui vero simil que el rey D. Alfonso 6. haria simples donacion a D. Henrique, siendo sobrino de sumuger D. *Constancia* nieto de Roberto 2. Duque de Borgona (hijo de su hijo mayor que murió antes de heredarle) y nieto Segundo de Roberto pio rey de Francia, como confieſſa *Caramuel en el lugar proximanente citado*; y por superſona uno de los mas valerosos principes que pregonan la fama; y quando lo caſava con su hija legitima D. Teresa auida de D. Ximena Nunes de Guſman con quien fue caſado, como averiguaron el grande investigador de antigüedades Andres de Rezende *Lib. 4. de Antiq. Luſit. Duarte Nunes de Leão en la Chron. de D. Henrique, Pedro de Maris Dial. 2. cap. 3. y el docto Fr. Bernardo de Britto en la Chron. de Cister. parte 1. lib. 2. cap. 6.*

3. Pero porque no aya el menor eſcrupulo en opinion que tenga qualquiera contrariedad; ſupponiendo con *Caramuel* el feudo que quiere, (ſin prejuſio de la verdad) es de advertir que caeria ſolamente en las pocas leguas que llaman *Entre Duero, y Mino* y parte de la Beira contenidas en la donacion; no en lo reſtante, que es la maior parte de Portugal, ni en todo el reyno del

Algarve por ser esto possedido entonçes por los Moros, y ganado despues por los Portugueses, cuyo valor lo adquirió libremente para si, como ya he mostrado *en mis excelencias de Portugal, cap. s. excel. 6. a n. 3.* y se prueba de derecho por lo que escribió el grande Doctor Castellano *Co. varruv. in reg. peccatum 2. parte. § 9.* y en particular de Portugal lo affirman *Ferret. de iusto & injusto bello, n. 24. Navar. in repet. cap. novu n. 165. de Indic.* y parece que Caramuel me escusa de repetirlo quando *Lib. 4. cap. 2. y en su Philippe lib. 2. in fin.* nos hace favor de conceder derecho en las Indias que conquistamos (si bien nos las toma otra vez por los fructos de seiscientos anos que comimos de Portugal) pues no dirá que los Moros ocupavan con mejor titulo Espana que los gentiles las Indias. Veo con todo que en el mismo *cap. n. 4.* dice, *Que el reyno de Portugal y Algarve (ya en tiempo de D. Alfonso Henriq.) se desmembraron de la corona de Leon sin raçon, ni justícia;* y haviendo los Portugueses conquistado de los Moros la maior parte de Portugal, y todo el Algarve, no sé yo en que se funda; si no es que considera algun derecho ala conquista en los reyes de León heredado de

los Godos ; y segun esto dirá tambien que los reyes de Aragon, Navarra, y otros principes de España han sido todos ilegítimos ; pienso cierto que lo imaginava quando, *Lib. 1. tit. D. Henrico*, escribió que el rey D. Al^o casó su hija con el dicho D. Henrique Dándole a Portugal en dote con condicion que lo conquistase de la tyrania de los Agarenos Mahometanos. Liberal donacion ! de lo que los Moros possen. Mas deve saber (aun que concedamos a los reyes Leoneses ser sucesores de los Godos, lo que no disputamos) que los Godos nunca tuvieron derecho a la corona sino por eleccion del pueblo ; como se dispuso en el concilio Toletano 4.^o *Can. ult. Tolet. 5. Can. 3. & Tolet. 12. in princip.* de que hacen mencion *Cov. Pract. ca. 1. n. 7. Garcia de expens. cap. 16. n. 17.* y lo prueba la ley 1. *construccion en el proemio del libro del fuero juzgo*, que refiere *Molina de primogen. cap. 2. n. 11.* y así sin embargo de los hijos, y cercanos parientes del rey defuncto, subieron los mas remotos al trono real por veces ; por lo qual notó el Doctor Salazar de Mendoza Castellano en el libro de las casas de Castilla lib. 1. cap. 12 que el rey D. Ordono fue el primero que sucedió a su padre D. Ramiro

Ramiro por herencia, por que hasta entonces se guardava la eleccion ulada entre los Godos; de que si sigue que en lo hasta ally no conquistado bastava la que hisieron los pueblos de D. Alfonso Henriques Godo tambien por su madre, siendo, como son, las hembras admittidas en Espana a la succession de la corona. Quantymas que ella una ves en poder de los Mōros con medios de recuperacion tan difficiles, en cuya dilacion la Christiandad perdia irreparablemente, absurdo seria negar la conquista aqualquiera Principe Catholico, como estā dicho, y nadie dudará oy que si alguno conquistare la santa ciudad de Hyerusalem la possederá con justissimo titulo non obstante otro que tenga derecho mas antiguo. Y conforme a esto el summo Pontifice *Alexandro 6* en las dudas que uvo entre Portugal y Castilla sobre la conquista de Berberia, juzgó que pertenecia a los reyes Castellanos por successores de los Godos que la dominaron, con declaracion que seria de los Portugueses lo que alla avian ganado por armas (como titulo de mas fuerça) en la qual sentencia con satisfacion grande consentieron los reyes de Castilla.

Tratando pues de solas aquellas pocas tierras
de

de Portugal, digo que ni en ellas tiene vigor alguno el primer título que propone *Cardanuel*; y esto por 4 fundamentos, cada uno dellos bastantísimo.

4.º. Porque siuvo obligación de reconocimiento la remittieron los reyes de León, como escriven *Marin. Siculus, de Reb. Hispan. lib. 8. tit. de Regib. Portug.* *Roder. Sant. Hist. Hispan. parte 4. cap. 31* que en esto conuerdan con otros, aunque dicen que el Rey D. Al¹⁰. hizo la remission, siendo mas cierto (si es que fue necessaria) que la avian echo otros reyes mucho antes, después que D. Al⁷. fue vencido por nuestro D. *Alfonso Henriques* en la batalla de Valdevez, de que habla el P.^r *Juan de Marianna, Hist. Hispan. lib. 10. cap. 13* laqual, en la opinion de los Autores que afirman la dicha obligación, sucedió sobre el cumplimiento della; y se ve que alomenos des de entonces los reyes Leoneses estavan tan fuera de pretender algo de Portugal que de ahí a algunos años el rey D. *Fernando 2.* prendiendo en Badajoz al mismo D. *Alfonso Henriques*, le embió libre para su reyno sin condicion alguna, como (dexando otras opiniones) testifica *Marianna* el mejor

Autor Castellano, y maior enemigo de los Portugueses *en su hist. lib. 11. cap. 15.* Loque no es vero simil que hisiera si el Portuguez le negara deuda alguna, pues tenia tan buena ocasion de cobrarla, o segurar su partido con qualquiera promessa.

Caramuel lib. 2. cap. 1. num. 9. y cap. 2. n. 14. confiesa que los Reyes de Leon dimittieron a los de Portugal el reconocimiento que pretende; pero dice que los conciertos, y contratos que se hacen por violencia y a mai na poder carecen de libertad politica, y no pueden ser obligatorios; alegacion indigna de Reyes, y que si fuera admisible destruyera el gobierno del mundo, no guardandose los pactos que hacen los Principes constrenidos ordinariamente de malos successos en las armas; y seria imposible el rescate de un Rey si es echo prisionero de su adversario; y assi D. Juan Antonio de Vera conde de la Rocha en el epitome de Carlos 5. estrana mucho aver quien dixesse que el Rey Francisco de Francia no devia guardar las condiciones con que recupero la libertad perdida en Pavia, como prometidas por fuerza; y *Caramuel* deve permitir que tambien militen en nuestro favor los fundamentos que los suyos

fuyos alegan por si , pues concurre de nuestra parte raçon no solamente igual, sino tanto maior quanto menor libertad tenia el Rey de Francia preso, que los de Leon libres. Ni puede ayudar. se del manifesto de Portugal § 12. 19. y. 52. porque loque se escrivio *en el § 12.* es cosa tan diversa, que basta verlo para conocerse que no puede applicarse al intento ; confiada mente passo sin detenerme a mostrar la diversidad. *y el § 19. y 52.* diciendo que el juramento del serenissimo Rey de Portugal quando Duque, no tuvo vigor por ser echo por la maior violencia , es conforme a todo derecho ; pero habla de persona que procedia como vassallo , y no se extiende a las açiones de los Reyes que poseen sus reynos, en quien se consideran o tras causas que la passion no dexó ver a este escritor ; y si toda via persiste en su proposicion ; digame conque titulo se eximió Cataluna del antigo vassallaje que devia alos Reyes de Francia de donde salió por condado ; que yo pensava que se fundaria en algun conçierto. Responderá que el senor Conde Duque con la *vigilacia, sollicitud, y providencia* que alaba lib. 5. cap. 5. *in fine*, por este escrupulo dexó

ya aquel estado al Rey de Francia, qué como Principe Christianísimo le ayudo a descargar la consciencia de su Rey; mas pregunto, porque no reconoce oy el condado de Flandres por Señor supremo, como antiguamente, al mismo Rey de Francia? ordena tambien dexarlo su Excelencia? es menester mirar todo antes de escribir.

5. 2º. Tienen los Reyes de Portugal el titulo que les há dado el mismo dios; (avrá quien dude de su poder?) estando D. *Alfonso Henriques* en el campo de Ourique para dar aquella famosa batalla a cinco reyes Moros, y otros quinze Regulos, acompañados de gente innumerable, le habló Christo señor nuestro crucificado, y cercado de Angeles con aquel milagro tan sabido, y dixo al venturoso principe: *Non ut tuam fidem augerem hoc modo apparui tibi, sed ut roborarem cor tuum in hoc conflictu, & initiaregni tui supra firmam petram stabilirem; confide, Alphonsse, non solum enim hac certamen vices, sed omnia alia in quibus contra inimicos caucis pugnaueris; gentem tuam inuenies alacrem ad bellum, & fortem, petentem, ut sub Regis nomine in hac pugna egrediaris; nec dubites, sed quidquid petierint libere*

con-

Primera parte.

19

concede ; ego enim aedificator, & dissipator imperiorum, & regnorum sum, volo enim in te, & in semine tuo imperium mihi stabilire, ut deferatur nomen meum in exterarum gentes, & ut agnoscat successor tuus datorem regni, in signo tuum ex pretio quo ego humanum genus emi, & ex eo quo ego a Iudeis emptus sum compones ; & erit mihi regnum sanctificatum, fide purum, & pietate dilectum. Consta largamente del instrumento publico que trasládó Caramuel en su *Philippe lib. 2. quest. 1. art. 7.* y se halló en el cartorio antiguo del Real monasterio de Alcobaça, y se presentó al Rey D. *Philippe 2* de Castilla poco después de ocupar Portugal (quedando la copia autentica en el reyno) el qual instrumento el dicho D. *Alfonso* hizo en presencia de muchos, y graves testigos con su sello pendiente jurando en el lo que avia pasado ; y puesto que embidiosos dixeron ser papel echo de nuevo, sin respeto alas circunstancias que mostravan su antigüedad, convenciolos (demas de la tradicion constante) la chronica del proprio rey, la qual por mandado de el rey D. Manuel recopiló su chronista Duarte Galvão ha mas de 120 años de otra antiquissima, y en el cap. 15. tratando de aquella gloriosa vision contiene

tiene estas palabras : E o Principe sabio se fôra de sua tenda, E, segundo elle mesmo deu testemunho em sua historia , vio nosso senhor em a cruz na mesma maneira que disse o hermitão , E adorou o, &c. con lo qual se redufieron a darle el devido credito entre los escritores Castellanos Valdez de dignit. Reg. cap. 15. n. 22. Molina en el nobiliario de Andalusia lib. 1. cap. 43. Segura en el romancero de los Reyes de Port ; Romance .s. y con ellos el Dotor Martin de Aspilcueta Navarro in cap. novit notabili 3. n. 149. de judic. y todos los estrangeiros, como son Thomas Bosius de Sign. Eccles. tom. 2. lib. 7. cap. 7. pag. mihi 430. Bernardin. Rosignol. de act. virt. lib. 2. cap. 16. Horatius Turfilin. in Epit. hist. Abraham Ortel. refertendo a Oliverio Marcha, in teatro Orb. tab. Portugal. y otros muchos.

Veo que el buen Caramuel Lib. 6. cap. 1. dice, y aviadicho en el Philippe lib. 2. quest. 1. art. 7. pag. 121. fue verdad que D. Alfonso Henriques despachò aquel diploma, pero sospecho que fue parabola , y enigma con que el dicho Monarcha (no le puede negar este nombre) quiso alentar a sus soldados ; es proprio de tiranos decir

cir que el Rey de los exercitos les dió la investidura de las Provincias que conquistaron con los suyos ; Fue fertil-Grecia de semejantes fabulas, muchas se hallan en la historia Romana, aun que escritas con mas escrupulo, y reparo Yo pensava que era proprio de solos Lutheranos, y Calvinistas negar los milagros que constan de las historias authenticas en que consiste la fee humana ; mas ay, que un Catholico, y monje : pero no prosiga la pluma, que es necesario escribir con mas decoro, que su atrevimiento supo guardar a un Rey santo ; basta repetir la correccion que le dió y a otros incredulos, el Doctor Fr. Bernardo de Britto religioso de su habito cisterciense (si bien me acuerdo) en la Chronica de la misma orden lib. 3. cap. 2. que diciendo esto tantos, y tan graves Autores se deve estranar mucho que en persona docta quepa tan grande falta como es dudar dello contra la verdad de un Rey Christianissimo que vió la humanidad del omnipotente, y lo juró ; contra la honra de Dios que se le quiso mostrar ; contra el juramento de tantos que lo testifican ; y contra el consuelo de un reyno tan Catholico, y pio que
en.

en este fundamento tan misterioso edificó siempre todas las esperanças de felices successos en sus empresas , que nunca la misericordia divina le dexó frustradas. Hemos visto que los Portugueses con successos tan milagrosos llevaron el nombre de Christo a tan estranas gentes , como son las que habitavan lo intimo de la Africa , lo remoto de la Asia , y lo ignoto de la America , que fue lo que dixo el mismo senor ; *ut deferatur nomen meum in exterar gentes.* Hemos visto que en el rey D. Henrique, 17. rey , y 16. generacion Real del rey D. Alfonso Henriques , se attenuó la generacion de reyes Portugueses (intrrometiendose los Castellanos) como en aquella occasion dixo al mismo D. Alfonso el venerable Heremita de parte de Dios : *Posuit enim super te, & super semen tuum post te oculos misericordie sue usque in sextam decimam generationem in qua attenuabitur proles.* Hemos visto que attenuada assi la generacion de reyes Portugueses , bolvió el senor los ojos atras a la derecha linea que parece avia desamparado , y hallando en ella al serenissimo Duque de Bragança , le restituyó el reyno tan inesperada

rada y extraordinariamente ; como lo avie prometido continuando : *sed in ipsâ prole at-
tenuatâ ipse respiciet , & videbit* notele la sig-
nificacion dela palabra, *respiciet* , que es como
acordarse , y bolver los ojos a la derecha li-
nea que quedava atrás ; (que es tambien el
modo de hablar de que usâ aquella, celebre pro-
fecia contenida en el testamento que se hiso en
Santarem el ano de 1515. que despues de vaticina-
nar todo lo que en esta successiõ uyo hasta el
presente , dice : *Repullulabit sceptrum reno-va-
tum , & non auferetur unquam ab eo.* Repulu-
lar llama , y sceptro renovado ; por que se
cortó el arbol Lusitano intrrometiendose los
reyes de Castilla ; mas oy repulula , y se re-
nueva el mismo que era.) quien, sino fue Dios,
dixo a D. *Alfonso* tantos anos antes, tanto alo ci-
erto, tantos futuros que despues vimos ? sepa
finalmente *Caramuel* que el grave Doctor Valdes
escriuió por orden del rey Catholico aquel li-
bro de *dignitate Regum*, que se presentó al summo
Pontifice sobre la precedencia entre su em-
baxador, y el del rey Christianissimo , y en el d.
cap. 15. n. 22. alega por fundamento mui prin-
cipal de su parte ser rey de Portugal, reyno fun-
dado por Dios , como prueba por la escritura

referida que alli trallada; y vea si, en materia de tanto peso, será mejor darse credito a lo que el dice que sospecha, o a lo que su Philippe afirmó delante del summo Pontífice.

6. 3º Supuesto que D. *Alfonso Henriques* estava en possession pacifica de aquella parte de Portugal por la donacion echa a su padre por el rey de León su aguelo sin reconocimiento alguno de feudo, segun la opinion referida n. 2. o, si lo tuvo, aviendo los mismos reyes de León desistido del despues de la batalla de Valdevez, como hemos dicho n. 4. fue bastante para darle título de rey sobre aquellas tierras, y mucho mejor sobre las de nuevo conquistadas, la aclamación de sus vassallos en el campo de Ourique; por ser este el modo legitimo por donde empezaron todos los reynos, segun el derecho de las gentes; *L. ex hoc jure ff. de just. & jure, ibi ex hoc jure gentium introducitur sunt bella, discretio gentes, regna condita.* Declara la glosa: *a singulis gentibus, que sibi Reges elegerunt.* La qual aclamación despues fue confirmada con toda consideración en cortes de los tres estados celebradas en la ciudad de Lamego, y Caramuel, (aunque en otras partes lo niega) poco constante en lo que es-
crive,

crive, confieſſa de plano que la creacion de Rey echa en aquellas cortes fue celebrada con la devida ſolemnidad, *En ſu Philippe lib. 5. diſput. 4. art. 1. n. 24. probatione 9. in I amegi comitiu (dice) ubi S. Afonſus debita ſolemnitate fuit creatus Luſitanorum Rex.*

7. 4º Los ſummos Pontifices Inocentio 2.º an. 1142. Alexandre 3.º an. 1179. y otros deſpues deſtos, concedieron, y confirmaron el titulo de Rey a D. Alfonſo Henriques, y ſus ſucceſſores, como cuenta Garibay. *lib. 34. cap. 3.* ſin embargo de la oppoſicion que los Reyes de Leon hiſieron en Roma por Embaxadores embiados a eſſo, como dice Caramuel, *En ſu Philippe lib. 2. queſt. 11. art. 3. in princip. adonde lib. 5. queſt. 2. art. 1. n. 10. y art. 4. n. 15. y art. 5. n. 16.* traſlada de las chronicas Portugueſas las bulas que ſe guardan en el Real archivo de Portugal, y en el dicho *lib. 2. art. 3. n. 7.* Seguiendo a Fr. Bernardo de Brito en la chronica de Cifter, confieſſa que el grande Padre San Bernardo ſolicitó eſte negocio por parte del Rey D. Alfonſo con el ſummo Pontifice, y cierto no ſolicitaria coſa injuſta, como eſte eſcritor no deve negar, quando no ſea mas que por religioso de ſu habito, y aſſi, decidida la

causa, no queda lugar de tratar mas della, pues obsta la excepcion peremptoria de cosa juzgada. Si los summos Pontifices pueden dar, confirmar, oquitar Reynos? es question mui tratada que los no letrados pueden ver en lengua Castellana, y estilo seglar, (como dicen) en la politica del erudito Bobadilla l. 2. c. 17. y hablando en particular de las conquistas de Portugal la examinó bien el doctor Fr. Seraphin de Freitas *de iusto imper. Lusitan. cap. 6.* Y es averiguado que, aunque derechamente no tiene poder en lo temporal de los Reynos, lo tiene indirectamente en orden al spiritual, assi se lee que el Papa Zacharias privó a Childerino del Reyno de Francia, Leon, 3. elegió a Carlo Magno emperador; Adriano. 4. por sentencia privó a Guillelmo del Reyno de Sicilia; Alexandro 3. a Federico Barbaroxa del imperio; Inocentio, 3. a Othon del mismo, y dió la Corona de Aragon a D. Pedro 2. Inocencio 4. privó al emperador Federico 2. Julio 2. a los Reyes Iuan y D. Catalina del Reyno de Navarra, dandole a los Reyes Catholicos; Paulo 3. a Henrico 8. de Inglaterra del derecho de reinar, que Pio. 5. concedió a qualquiera principe Catholico que conquistasse aquel Rey-

nos; y dexando otros muchos exemplos, en Portugal Sabemos que placaron esta jurisdiccion Inocencio 3. obligando con censuras al Rey D. Alfonso 1. a accomodarse con sus hermanas en las dudas que tenían sobre ciertas villas, Inocencio 4. quitando el gobierno a D. Sancho 2. y dandolo a D. Alfonso 3. Martino 5. Eugenio 4. Nicolas 5. y Sixto 4. concediendo loque se descubriessse hasta la India inelufivamente; y Alexandro 6. que repartió las conquistas entre Portugal, y Castilla.

No se atrevió nuestro Caramuel a negar esta doctrina; forçado la confiesa *En el preludio de su Philippe*; mas procura en el caso presente darle varias salidas; que estranas conclusiones se dexó escribir *en todo el libro 2. sobre esto*. llega a decir *en la question 1. art. 3. y 6. y l. 5. q. 2. art. 6. ex n. 25.* que ay Reyno temporal, el qual tiene suprema jurisdiccion en las cosas politicas, y civiles; y que no le puede dar el Papa; y Reyno eclesiastico, o Pontificio, que consiste en un titulo spiritual, e incorporeo, al qual no se concede mas que las indulgencias, privilegios, gracias, e indultos que suelen concederse a los Reyes verdaderos; y que este fue solamente el que los

Papas dieron, y confirmaron a los Príncipes Portugueses, donosa manera de hablar: hace el título de Rey cofradía para ganar indulgencias; y si no era mas desto lo que dava el summo Pontifice: a D. Alfonso Henriques, porque embiavan los Reyes de Leon embaxadores a Roma a impedirlo, como cuenta en el dicho tercero artigo: querian los Castellanos ya entonces gobernar el summo Pontificado: hasta en repartir las indulgencias: bien claras son las palabras en la bula di Inocentio 2. *Et Regem Portugallie redintegritate honoris, regniq; dignitate, quæ ad Reges pertinet, & alijs loca Excellentia tue concedimus, & auctoritate Apostolica confirmamus.* En la bula de Alexandre 3. *Proinde nos attendentes personam tuam prudentia ornatam, iustitia proditam, atque ad populi regimen idoneam, &c.* y Luego: *Regnum Portucallense cum integritate honoris, regni dignitate, quæ ad Reges pertinet, necnon et omnia loca, quæ cum auxilio celestis gratie de Sarracenorum manibus eripueris, in quibus sibi non possunt Christiani Principes circumpositi ius vendicare, Excellentia tue concedimus, & auctoritate Apostolica confirmamus, y mas abajo: Decernimus ergo, ut nulli omnino hominum liceat personam tuam,*

tuam, aut hereditum tuorum, vel etiam praefatum regnum temere perturbare, aut ejus possessiones auferre, vel ablatas retinere, minuire, aut aliquibus vexationibus fatigare. Lo mismo contienen las confirmaciones de otros summos Pontifices; y es cosa lastimosa que este buen Monge escriviese de suerte que para convencerle non sean menester mas argumentos que las mismas palabras de las bulas que el trae, las quales estan diciendo que dan y confirman titulo y dignidad de Rey con las honras, tierras, y gobierno, que todo es temporal. Del mismo genero es la instancia que hace fundado en que dicen aquellas bulas: *Super his quae concessa sunt, Deo propitio, pro injuncti nobis Apostolatus officio defendemus.* Argumenta: *Defendit Apostolatus officio, non gladio; ergo Pontifici Luitania subditur ecclesiastica, non seculariter, hoc est orationibus tueri non gladio.* Hase visto tal gloria? no advierte que el Pontifice para dar estos titulos, tiene solamente la jurisdiccion indirecta en orden al spiritual que ya le ha confesado; y esta es claro no perteneciente sino como a Pontifice; y como tal la exercita no con espada de reglar, sino con censuras, y otras armas eclesiasticas;

conforme

conforme al officio del Apostolado; mas esse no quita, antes muestra que dió dignidad temporal como summo Pontifice, y que segun el proprio officio la ha de defender, porque secularmente no tiene jurisdiccion en las tierras ajenas. Y si toda via persiste su Paternidad en que el Papa, dando titulos de Rey, no se extende a mas que a spiritualidades, persuada con esto al rey Catholico que tenga solamente las Indulgencias de Rey de Navarra (pues no la posee sino por el derecho que le dió *Iulio 2.*) que yo confio acabar con el rey Christianissimo que se contente con lo temporal de aquel reyno (pues tiene bastantes indulgencias por rey de Francia) cessará deste modo grande parte de las guerras que tanto dano hacen a la Christiandad, y es el mejor arbitrio que se puede dar en Madrid, y muy de religioso. Ni puede recurrir a diversidad de ragon entre una, y otra concession, quando en la de Portugal se fundaron los summos Pontifices en las donaciones de los reyes de Leon, en la palabra de Christo senor nuestro, en la aclamacion de los vassallos, en la ampliacion de la Christiandad que el valor Portuguez dilatava contra el poder Mahometano, y en otras causas tanto

tanto mas justas que la de Navarra (nacida de informaciones siniestras que se dieron al Papa) que se hace servicio considerable a su Magestad Catholica en no disputarla , ni compararla con la nuestra.

Queda, pues , desvancido el alegado titulo del feudo caduco ; y la corona de Portugal fundada en D.*Alfonso Henriques* no solo por la donacion del rey su aguelo, sino por la concession del mismo Dios ; acclamacion de los pueblos ; y loque mas es pleiteado el punto con los reyes de Leon, y sentenciada la causa irrevocablemente.

E

Parte





PARTE II.

*Convence el segundo titulo que propone
Juan Caramuel, Pagina 72. con
estas palabras.*

Es verdadero Rey de Portugal D.
Philippe el grande por ser Rey de Ara-
gon, y descendiente de D. Ines de Ca-
stro excluyendo a D. *Juan* el bastardo
maestre de Aviz, que a pesar de los here-
deros legitimos se intituló Rey de Por-
tugal.

*Trata de probarlo en todo el libro 3. y
lo toca lib. 1. tit. D. Pedro, y tit. D.
Iuan 1. y lib. 3. ca. 2. en las respuesta a
la objeccion 2^a.*

8 **D**eriva este derecho des de el año 1383
en que murió el Rey D. *Fernando*;
y siendo

y siendo passados 259 anos, militan en el las razones de Caduco que apuntamos y a sobre el primero *n.1.*

Pero por satisfacion mas complida, perdonandole la antigüedad, quiero convencerle por otros fundamentos.

9. Y primero suppongo que D. *Beatris* reyna de Castilla hija unica del rey D. *Fernando* de Portugal, fue excluida del reyno por quarto razones; 1ª por que, era bastarda a-vida en D. Leonor Teles de Meneses, siendo aun vivo su marido *Juan Lorenzo* de Cunha, aquién el Rey la tomó por fuerça. 2ª, porque, (aun en caso que fuesse legitima) casó con estrangero, que era el Rey de Castilla, siendo lei de Portugal que la hija que ubiesse de heredar la corona casasse con Portuguez, y que no fuesse el Reyno a estrano como se contiene en las cortes de Lamego, de que trataremos quando convençamos el titulo 4 *n.* 3ª; porque aunque los Portugueses forçados de la autoridad de su Rey, passando por estos defetos, la nombraron Princesa, y la casaron con el Rey de Castilla, capitularon luego que el no entraria en Portugal hasta tener hijo heredero de D.

Beatriz, y pudieron apartarse de qualquiera juramento, que, siendo condicional, y no observandose las condiciones, se resolvia; antes nunca devrian admittir la hija bastarda, y casada con estrangero en prejuizio de tercero, que, como pariente, y natural del reyno, tendria derecho a la successiõn. 4.^a Porque en aquel tiempo los Castellanos eran scismaticos (como, demas de las *Chronicas*, lo refiere *Bald. Conf. 271. in Princ. vol. 1.*) ragon bastante, quando no sobrarian las otras, para huir su compaña, quãty mas su dominio. Vea *Caramuel* si tuvieron los Castellanos causas tan justas para privar de la corona a D. *Juanna* hija unica, y legitima de su rey D. *Henrique 4.* a viendola jurado por Princesa en cortes de los tres estados juntos solo para esto en Madrid el año 1461; siendo los primeros que la juraron sus tios los infantes D. *Alf.* y D. *Isabel*, que fue despues quien le quitó el reyno; y despues en presencia de todos los senores de Castilla la declaró otra vez el padre por su successora con asistencia del Cardenal de Albi Frances, embiado por el Rey de Francia *Luis 11.* para hacer algunas averiguaciones en la materia;

teria ; como todo cuenta Garibai. lib. 17. cap. 24. y ultimamente la nombró heredera en su testamento , como escribe el mismo Garibai, e Hyeronimo Curita. Yo no alcanço raçon porque este religioso escritor accusa los otros de perjuros no viendo la trabe en su ojo, como manda Christo senor nuestro ; sino es que piensa que los Portugueses son mas Christianos, que los Castellanos , y que assi tienen maior obligacion de guardarlos juramentos.

Pero, como quiera que fuesse , la reyna de Castilla D. *Beatriz* no dexó hijos, y assi oy no ay que tratar de su dexecho.

10 Argumenta pues el Autor que vamos convenciendo que suppuesto que de el rey D. *Fernando* no uvo descendientes, perteneció el reyno a su hermana D. *Beatris* hija del rey D. *Pedro*, y de su muger 2.^a D. *Inez* de Castro ; de la qual D. *Beatris* procedieron los reyes de Aragon, de quien es nieto el Catholico rey D. *Philippe*.

11. Supponiendo que D. *Inez* fue muger legitima del Rey D. *Pedro*, se podia preguntar a este escritor, pues en el arbol que trae confiesa que de la dicha D. *Beatriz* fueron hermanos de

padre, y madre los infantes D. *Iuan*, y D. *Dionysio*, en que jurisprudencia halló que la hermana hembra les devia ser preferida ? O en que pecaron los descendientes legitimos que oy conocemos destos infantes , maiormente los de D. *Iuan*, que el mismo nombra, (aunque se olvidó de los Deças, siendo los principales, por venir de D. *Fernando* Deça su hijo del primer matrimonio que celebró con D. *Maria* Teles de Meneſes) para no hacer alguna alegacion en su favor ? con demasiada prissa escrivió esta respuesta, pues que ni tiempo tuvo para trasladar en ella la satisfacion que pretendió dar a este punto en su *Philippe lib. 3. art. 2. n. 28. in dubio incidenti*, & dico 4. que fue decir (alo que colijo por que su cavilacion no ſo declara bien) que al tiempo que se devolvió la ſucceſſion eran muertos los dichos Infantes , y tambien la dicha Infanta D. *Beatris*; y que devien loſe recurrir alos descendientes de todos, se hallava en mas proximo grado al ultimo poſſeeder D. *Urraca*; (otros la llaman D. *Leonor*) cognominada, la rica hembra, hija de la dicha Infanta D. *Beatris*, y ascendiente del rey Catholico. Pero quiçá no trasladó

ladó esta satisfacion porque reconoció ser tal que se corrió de repetirla; y tuvo raçon; porque o considera ultimo poseedor del Reyno al Rey D. Fernando; o a su hija D. Beatrix Reyna de Castilla; si considera a D. Fernando, (como parece que muestra en el lugar citado §. dico 1.º. ibi dico 1.º. *ultimum possessorem Regni fuisse Ferrandum 1.º.*) al tiempo de su muerte Vivian los dichos infantes, como es notorio, y el lo confiesa lib. 1. tit. Ioannes 1. § fuerat, y assi no ay duda que el maior, que fue D. Iuan, dexava su derecho a los descendientes legitimos que oy tiene, y no entraron en el los de la hermana. Si considera ultima poseedora la reyna de Castilla, enganase por lo que queda apuntado n.º 9, y aun en caso que lo ubiera sido, quien reveló a este Autor que quando ella murió era mas proxima D. Vrraca, y eran ya muertos todos los hijos del infante D. Iuan? no lo prueba sino con decirlo; y porque el lo dice no lo creemos; antes sabemos lo contrario, y de todo puede imaginarse que simula escribir por el serenissimo Rey de Castilla, y hace las partes del algun descendiente del dicho Don Iuan.

12. Por si a caso es esto le traigo ala memoria

moria que al tiempo que murió el Portugués rey D. *Fernando* se hallauan en Castilla sus dos hermanos D. *Iuan*, y D. *Dyoniso* presos por el Castellano (como confiesa su *Philippe li. i. tit. Ioannes 1. § fuerat*) porque passando a Portugal no le hiciessen competencia (tan antiguo es en aquellos principes este modo de tirannia, que oy usan tambien con el serenissimo Infante D. *Duarte* hermano de nuestro Rey) con loqual los Portugueses se vieron forçados a elegir por defensor del reyno contra la violencia de Castilla al Infante D. *Juan* maestro de Avis, hermano de los otros aunque ilegítimo; hijo del rey D. *Pedro*; el qual, sin ambicion de reynar, sentia tan de veras la prision de su hermano D. *Juan*, que por mas animar el pueblo a procurar su libertad, le hizo pintar en los estádartes (como oy deuiamos pintar anuestro Infante Don *Duarte*) cargado de grillos, y cadenas de la manera que estava en Castilla; y viendose que no avia remedio para sacarle de poder de los enemigos; (adonde finalmente murió, y su hermano D. *Dyoniso*) fue levantado por rey el maestro de Avis D. *Juan*, cuy

as eminentes virtudes eran dignas de maior imperio; obligando la necesidad publica a bulcar quien governasse como dueno; y considerandose tambien que el otro infante D. *Iuan* era llamado a la corona mas por el amor del pueblo, que lo amava con extremo, que por in dubitable derecho, porque (como confiesa el mismo autor contrario) no era cierto, ser hijo legitimo del Rey D. *Pedro*, pues avia question sobre si su padre celebrara matrimonio con su madre D. *Ines* de Castro, o en caso que lo celebrasse, si avia precedido bastante dispensacion del impedimento de aver le ella sacado un hijo de pila; por los quales, y otros fundamentos el in signe jurista *Iuan das Regras* en las cortes de Coimbra probó largamente que del Rey D. *Fernando* no avia quedado hijo o pariente que pudiesse succederle legitimamente; y despues de madura deliberacion lo declararon assi los tres estados del Reyno en las dichas cortes, y que por aver vacado la corona elegian Rey al dicho Maestre de Aviz, de que hicieron instrumento publico que oy se conserva en el archivo Real lib. 4. *Delos derechos reales a fol. 4.* y todo cuenta la chronica del

mismo Rey *part. 1. cap. 179.* con los següientes fundandose la eleccion en la dotrina vulgar de que, no aviendo legitimo heredero del ultimo Rey, buelve a los pueblos el poder que de derecho natural les competia para escoger quien les guovierne.

13. Por todo loqual el summo Pontifice *Bonifacio 9.* con plenario conocimiento de la materia confirmó aquella eleccion, como tan justificada; assi lo confiesa *Caramuel en su Philippe lib. 3. quæst. 3. art. 26. ex his colligo*; sin que sea de momento la respuesta que dà a la bula; porque es la misma de que hemos tratado *En la 1. p. n. 7. 8. no se arevió*, y alli hemos visto de que qualidad sea.

14. Parece finalmente que el mismo Dios obonó la causa; pues en la famosa batalla de Aljubarrota (enque el pleito quedó decidido por armas como ya lo estava por raçones) teniendo el Rey de Castilla treinta mil hombres, segun el padre *Ant. De vasconcelos en sus anecephal. in Ioan 1. n. 6.* (que es el que menos dice, por que otros affirman que eran muchos mas) y los Portugueses solos seis mil, y quinientos, como dice *Maris Dial. 4. cap. 1. o dose mil conforme*

forme la opinion que mas los fube; se puso el Castellano en huyda dexando muertos dies mil de los suyos, como escribe su Marianna lib.8. cap.9. otros affirman que doce mil; en que dice Illescas, tambien Castellano, *Hist. Pon.2. part. lib.6. cap.19.* que entró la Flor de Castilla, y perdiendo el estandarte Real, muchas banderas, y riquissimos despojos. *Caramuel* en varias partes llama esto *Ser los Portugueses mas felices*, y esta felicidad tuvieron en todas las guerras con Castilla; y el mundo, que toma las cosas mas en grueso, le llama en buen romance, *Ser mas Valiente*; porque de ordinario no suceden estas felicidades, sino a los valerosos; successo fue maravilloso; que piamente se puede atribuir ala devocion conque el Rey Portuguez para entrar en las empresas solia poner sus armas a los pies de la imagen de nuestra senora que llaman de *la oliveira*, en Guimarães, y pediendola licencia las tomava, como cuenta Gaspar Estação en *las antigüedades de Portugal*, cap.48. y 50. y al zelo con que antes de la batalla hizo preces publicas; y armó los soldados con los sacramentos de la iglesia, como leemos en el dicho *Anton. de Vasconcelos*. *Cara-*

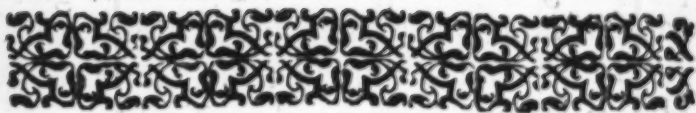
muel en su Philippe lib. 3. Quæst. 2. art. 2. n. 17. reprueba grandemente estas acciones virtuosas, diciendo que fuera mejor no hacerlas quien usarpava un reyno; y *lib. 1. tit. Ioannes 1.* Se burla, como suele, de lo que (demas de los historiadores Portugueses) cuenta su Garibay. *P. 4. lib. 34. cap. 33.* que al tiempo de las alteraciones que uvo entre los dichos Reyes, *D. Iuan de Portugal*, y *D. Juan de Castilla*, una nina de ocho meses Levantandose en la cuna dió voces: *Portugal, Portugal por el Rey D. Iuan de Portugal.* Reconosco que ni devemos creer milagros facilmente; ni atribuir los buenos successos con credulidad demasiada a las buenas obras antecedentes, como a causa infalible; pues Dios muchas vezes los dexa correr por otras vias; pero quien totalmente piensa que todo vá por caminos naturales, o por caso de fortuna viene a ser de aquellos herejes que negavan en semejantes materias la providencia divina contra quienes escribió el docto Salviano obispo de Marsella aquel elegante libro de *vero Dei iudicio*. Y ayiende de inclinar a alguna parte, todo hombre entendido se dexará llevar antes de

de los prodigiosos fines que arguyen ser gu-
ados por Dios, que de la fantasia de *Cara-*
muel; hemos visto al rey *Portuguez* no solo
vencedor de los Castellanos, sino tambien vi-
etorioso de la parte Principal de Berberia, y
al fin en largos anos de vida uno de los Princi-
pes mas gloriosos que vieron muchos siglos;
por el contrario al Castellano no solo venci-
do, si no tambien muerto en lo Florido de su
edad de la caída de un cavallo miseramente.

15 Quien finalmente no alaba la conscien-
cia de los Castellanos? que pareciendoles que
el reyno pertenecia al *Infante D. Juan*; y que
los Portugueses querian darselo, lo tuvieron
preso por impedirlo; y ahora, porque su
Rey desciende del (como si esto le diera mas
derecho que tenia entonces,) ellos mismos
que le mataron en prision porque no reinasse,
acusan de injusticia a los que peleavan por su
libertad para darle el reyno; considere el P.
Caramuel mas de espacio quien, conforme su
Theologia, fue culpado en aquello.

Assi queda convencido el segundo titulo de
D. Inez de Castro, pues ni el Rey Catholico
es su heredero; ni los descendientes della tu-

vieron derecho contra D. Iuan maestre de A-
viz electo Rey juridicamente, y por tal confir-
mado por el Papa.



PARTE





PARTE III.

*Convence el tercer titulo que propone
Iuan Caramuel, pagina 72.
con estas palabras.*

Es verdadero Rey de Portugal Don
Philippe el Grande por ser Rey de Ca-
stilla, y descendiente de la reyna D.
Maria hija de *Alfonso* el 4. muger
de *Alfonso* Rey de Castilla; contra los
successores del mismo D. Iuan el ba-
stardo.

*Trata de probarlo en todo el libro 4. y lo
toca lib. 1. tit. D. Iuan 1. 6 y dado caso.*

16 **E**ste titulo tiene la misma enfermedad
de vejez que hemos hallado en los
precedentes; pero, como ya me
dis.

dispuse a dar satisfacion a todo loque el reverendo Padre gustó de proponer ; digo , brevemente.

17. Que o considera la successiõ en el tiempo que murió el Rey D. *Fernando*, que fue el año de 1383. o en el tiempo que murió su hija D. *Beatriz*, y en qualquiera destos los Castellanos tenían despojada de la corona de Castilla a D. *Constancia*, hija legitima, y heredera de su Rey D. *Pedro* que mataron en el año de 1369. en la qual dicen en este titulo que estava el derecho de succeder en Portugal que derivan al Rey Catholico su descendiente ; y es cosa graciosa que accusen a los otros de no averla llamado a la herencia de un primo de su padre (en caso negado que le perteneciera) quando ellos la despojavan de la herencia de su padre mismo.

18. Pero porque no parezca que buscamos disculpa de delicto en el exemplo de otro ageno, aunque maior ; responderemos mas en forma, y esta pedia que primeramente excluyera mos a los Reyes de Castilla desta accion por descendientes de la dicha Reyna D. *Maria* ; por quanto, en caso que D. *Iuan* maestre de Aviz

no fuera Rey legitimo, la succession de *D. Fernando*, o de su hija *D. Beatrix*, se devolvía al otro infante *D. Iuan* hermano de *D. Fernando*, (como argumentó *Caramuel* en el titulo precedente, adonde tambien mostramos que los Reyes de Castilla no son sus herederos aun en caso que el fuesse legitimo) y estando la linea deste *D. Iuan* en primer lugar no se puede bolver atras a la linea de *D. Maria* (hermana de su padre) tanto mas remota.

19. Con todo supponiendo que el dicho *D. Iuan* fue ilegítimo, y que como tal no sucedía a su hermano; que son los terminos en que procede el argumento deste titulo; respondemos que ni entonces podia ser admitida la dicha *D. Maria*, ni sus descendientes per consequencia; por que como apuntamos ya n.8. y trataremos largamente n. por ley del Reyno queda inhabil para la corona la princesa que se casa con estrangero, como lo era el Rey *D. Alonso* 11. de Castilla, con quien *D. Maria* se casó.

20. Junto a esto el destierro en que andava fuera de Hespana *D. Constanca*, nieta heredera de *D. Maria*, el qual y ser muger la in-

commodava para ser llamada a defender Portugal de las armas de Castilla, aun en caso que los Portugueses por alguna via de gracia quisiessen ponerla en el tronó de sus aguelos; y por las razones notadas en el titulo antecedente n. 12. fue electo Rey D. *Iuan* Maestre de Aviz tan justificadamente que assi lo pronunció el summo Pontifice segun hemos visto n. 13. y tan sin contradiccion de la dicha D. *Constancia*, que ella, y su marido *Iuan* duque de Lancastre se trataron siempre con amistad mui estrecha con aquel rey haciendo guerra al Castellano, y lo que es mas, cuenta Maris *Dial. 4. cap. 1. in fine*, y otros, que offereciendo el Duque al Rey por muger D. *Catalina* su hija, y de la dicha D. *Constancia*, con quien se pudiera suplir qual quiera falta de derecho, (como quiso suplirlo a la corona de Castilla el rey D. *Henrique* 3. casandos e con aquella princesa) El rey de Portugal escogió antes casar con la otra hija del mismo duque, que fue la reyna D. *Philippa* hija de Blanca duquesa proprietaria de Lancastre primera muger de *Iuan*: (y no segunda como dice Maris) segun escriven *Elias Renero in genealogico part. 3. Stemate Regum Anglie*; Andre

Andre du Chesne histoire d' Angleterre, livre 16.
y todas las Chronicas de aquel reyno ; buen
argumento de que el Portuguez no temia op-
policion alguna por parte de D. *Constan-*
cia.

21. Así ningun Rey de Castilla, o Aragon
adpiró jamás a serlo de Portugal por este
titulo , ni por los precedentes ; ni le intitu-
ló alguno, rey de Portugal ; como harian sin
duda se imaginassen tener el menor derecho,
y como se llamaron , y llaman oy reyes de
Hyerusalem , y los de Francia reyes de Na-
varra , los de Inglaterra reyes de Francia , y
es costumbre entre todos los Principes ; Dice
Caramuel in Philip. lib. 2. Quest. 1. Art. 2.
n. 3. & 4. Que ya en tiempo de D. *Alfonso*
Henriques el Rey de Leon se trataba como rey
de Portugal ; para probarlo trae dos autori-
dades contra si ; una del P.^o *Fr. Antonio Bran-*
dão Monarchi Lusit. pag. 3. lib. 8. cap. 9. Ibi
intentou el Rey de Leão & Castella de o fazer
seu tributario. Quería hacerlo tributario nue-
vamente , porque no le devia cosa alguna ;
bien lo muestran las palabras. Otra que refie-
re de *Fr. Prudencio de Sandoval Chron. de*

Alfonso 7. cap. 36. En que escribe que aquel rey determinó entrar en Portugal, y no dexar la guerra hasta conquistar el reyno Le llama, reyno, y no provincia de Leon, o Castilla. Y dice, conquistar; que es tomar de nuevo; buena prueba de que no lo avia perdido por averse levantado D. Alfonso Henriques con el, como se finge; réplica (como si hablara en Guinea:) *Illud verbum conquistare, est Latine, recuperare*; y así traduce: *decernens illuc in Lusitaniam ingredi, nec bello valedicere, quousq; hoc regnum recuperasset.* Y siendo notoria, por los diccionarios pueriles, la diferencia entre conquistar, y recuperar, es acusado generalmente por varios caminos; pero la cortesía devida a su estado monachal obliga a atribuir esto antes a ignorancia, que a otra causa mas reprobada.

Dice tambien en el *Philippe lib. 3. Quest. 3. Art. 2. n. 27.* Y en la respuesta al manifesto *lib. 3. cap. 2. n. 28.* Que D. Fernando el Catolico guerreó contra D. Alfonso s. de Portugal para conquistar aquel Reyno como suyo, y que se llamava Rey del; es poca, o ninguna noticia de las historias; pues no se puede

puede decir que si supiera la verdad, escribiria sin respeto de Dios, ni del mundo cosa tan notoriamente contraria a ella; y si entendiera la lengua Portuguesa no alegaria ciegamente para probar su intento a *Mari*, *Dialogo 4. cap. 9.* pues es contra el, contando bien claro, y lo saben los medianamente leydos, que el Rey de Portugal era el que queria echar fuera de Castilla a D. *Fernando* que con su muger D. *Isabel* avia usurpado aquel reyno a la verdadera reyna D. *Iuanna*, cuyas partes favorecia el Portuguez, haciendo el Castellano guerra solamente defensiva; y assi la batalla, en que los reyes se hallaron, y en que el principe de Portugal quedó vencedor, se dió junto de la ciudad de Toro dentro de Castilla que el Portuguez D. *Alfonso* iba conquistando teniendo ya muchas placas en su poder, y porque D. *Alfonso*, por estar desposado con la dica D. *Iuanna*, se intitulava Rey de Castilla, se intituló tambien D. *Fernando* Rey de Portugal; titulo que dexó luego que D. *Alfonso* desistió del suyo por las pazes que se concertaron en las Alcacevas villa de Portugal en que el Rey D. *Fernando* mostró bien ser el

Reo en aquel pleito, pues las compró con pagar al rey Portuguez veinte cuentos de maravedis en satisfacion de las despesas de la guerra; de más de restituir a su gracia, y bienestodos los Castellanos que se avian pasado a Portugal; como todo refiere Rui de Pina en la *Chronica del mismo D. Alfonso 3.*

De peor qualidad es lo que escribe nuestro Autor en el citado lib. 3. cap. 2. n. 29. diciendo el prudente Philippe tuvo sus pretenciones a la corona Portuguesa, aun en vida del Rey D. Sebastian; y como no las sepamos, ni fundamento que uviessse para tener las, acredita este buen varon lo que, quizá con passion, publicó aquel Autor erudito del *fora velbaco, c' est adire, la liberté de Portugal*, de que Philippe 2. con ambicion de tiranisar la corona Portuguesa, aviendo prometido a D. Sebastian sinco mil hombres, y sincoenta galeras para la jornada de Africa, *Les luy refusa quand ce vint au fait, & au prandre pour parvenir a son but, & s'accorda avec Muley Maluco, promettant par le traité qu'il fit avec luy, d'abandonner du tout le pauvre roy; & pour cet effect le Maure luy avoit promis certaines villes en Barbarie.* Y continua que en esta

esta conformidad el Rey *Philippe* prohibió por edicto que ninguno de sus sujetos fuese a aquel viage; y lo confirma con el Conestable, lib. 2. fol. 34. pag. 1. Que dice que solo el capitán *Francisco de Aldana* pudo alcançar licencia del Rey Catholico para ir acompañar al Rey *D. Sebastian* y acrecienta el traductor Francez del dicho libro *Fôra velhaco* que *D. Philippe* hiciera matar a *D. Sebastian*; intento que ya avia descubierto su secretario de estado *Antonio Perez* en sus escritos-cosas verdaderamente indignas de que se crean de un Monarcha, y tan Christiano; y las repito con miedo, porque ni imaginarse pueden de un tal Principe; pero que pensará un arrojado quando, teniendo noticia de lo que escribieron aquellos apasionados, leyere el inadvertido *Caramuel*, que, con palabras prenadas, cuenta que *Philippe* tuvo sus pretenciones (sin declarar quales fueron) a la Corona Portuguesa, aun en vida del Rey *D. Sebastian*?

Asi está mostrado que la reyna de Castilla *D. Maria* no tuvo a Portugal derecho alguno que pudiesse dexar a sus descendientes, como la

la a legacion destetitulo 3. fingia. y el lector me perdonará la prolixidad con que he respondido hasta aguy a tres proposiciones de cosas tan caducas, attento a que no fue mia la culpa de resucitarlas, sino de quien, no satisfecho con averlas escrito, pide con queexas que le respondamos.



PARTE





PARTE IV.

*Corruence el quarto titulo que propone
Iuan Caramuel, paginá 72.
con estas palabras.*

Es verdadero Rey de Portugal Don
Philippe el Grande por ser Rey de Es-
pana, y heredero del prudente *Philippe*
que competió en igual grado, y mé-
jor sexo con la Infanta D. *Catalina* agu-
ela del Duque de Bergança.

*Trata de probarlo en todo el libro 5. y lo
toca lib. 1. tit. D. Philippe 1.*

22 **A** Lfin hemos llegado a este ti-
tulo (que es el todo) por
masque *Caramuel*, con discre-
dito de su causa, lo recusava; desechos son
H los

los impedimentos que oponia; claro está que el no lo confesará; pero que importa? conocerlo los doctos sin passion, para quien solamente escribo.

Tratóse de suceder al Rey D. Henrique que no dexó descendientes, ni hermano vivo; concurrieron (de mas de otros en que ahora no ay question) la Senora D. Catalina Duquesa de Bragança, y D. Philippe 2. Rey de Castilla en igual grado, por ser entrambos sobrinos derechos del defunto; s. la Senora D. Catalina, hija del Infante D. Duarte su hermano; y D. Philippe 2; hijo de la imperatriz D. Isabel su hermana tambien.

23. Ala primera vista parece que uno, y otro deven ser excluidos de la via de successi-
on; porque en las cortes de Lamego referidas se dispuso: *cap.5. Si mortuus fuerit Rex sine filiis, si habeat fratrem sit Rex in vitá ejus; & cum fuerit mortuus, non erit Rex filius ejus, si non fecerint eum episcopi, & procurantes, & nobiles curie Regis, si fecerint Regem, erit Rex, si non fecerint, non erit Rex.* Y como estos pretendientes eran ya hijos de hermanos del Rey, parece que no tenían lugar sino fuesse por eleccion

Caramuel

Caramuel trasladó estos capitulos en su *Philippe* lib. 2. *quæst.* 1. *art.* 4. y con todo no advirtió en esta duda que se offerece a qualquiera entendimiento mediocre ; o, si advirtió en ella, la calló porque sabe que el Rey *Philippe* 2. no tenia buen partido en eleccion ; y no halló respuesta al argumento , que hallara mui facilmente si tuviera alguna noticia de derecho ; yes que :

Segun principios assi como las leyes se introdusen por el uso de los pueblos, assi se abrogan con tacito consentimiento dellos mismos por el non uso. *L. de quibus* 32. *in fine ff. de legib.* ibi *Quare rectissime etiam illud receptum est, ut leges non solum suffragio legislatoris, sed etiam tacito consensu omnium per desuetudinem abrogentur.* Lo que confirma, y declara largamente *laglosa ally*; & *in §. penult. per textum ibi verbo, consensu, Inst. de jure natur.* Si hávido, o no non uso bastante, y costumbre en contrario para abrogar la Ley, queda (segun la mejor opinion) en arbitrio del juez, *Menoch. de arbitrar. casu* 81. *n. 4.* & *de præsumpt. lib. 2. præsumpt. 8. n. 12.* Y deviendo este ser regulado por derecho, como es claro, diremos

que para juzgarse ser abrogada la ley por non uso basta que en casos occurrentes se aya platicado lo contrario dos veces, *Ut post Butrium, & Alex. scripsit Afinius in Praxi de ord. judic. §. 22. cap. 16. n. 5. e refiere Menoch. d. n. 12.* Y es notorio que en Portugal, sin platicarse jamas aquella ley, uvo no solos dos, sino quatro actos contrarios a ella; 1. quando, sucediendo al Rey D. Sancho 2. su hermano D. Alfonso 3; succedió a este su hijo D. Iyoniſo por via hereditaria, no electiva. 2. Quando al Rey D. Iuan 2. succedió D. Manuel su primo por la misma via; 3. quando se declaró que muriendo el Rey D. Manuel sin descendientes, era su heredero en la corona el duque de Braganca D. Jayme su primo; 4. quando al Rey D. Sebastian succedió por el mismo titulo D. Henrique hermano de su aguelo; de donde se ve que los pueblos, (aviendo observado las leyes 7. y 8. de aquellas cortes que excluyen de la succession la hija del rey casada con extranjero; pues una vez sola que aconteció el caso en D. Beatrix hija de D. Frnando, no la admittieron por esta raçon, de mas de otras ya referidas,) abrogaron (como podian) por tantos actos contrarios

trarios aquella ley 5. mostrando su consen-
timiento por el facto, como se muestra la volun-
tad. *L. Paulus ff. rem rat. haberi, Mench. de*
presumpt. lib. 3. pras. 37. n. 11. adonde alega otros.
Y siendo tan diversas las leyes establecidas en
aquellas cortes, no es inconveniente que unas
se abrogassen, quedando otras en su vigor.

24. Tratando pues del caso presente porfia
Caramuel que estando el rey *Philippe 2.* en igual
grado con la Senora *D. Catalina* devia ser
preferido por el sexo (y tambien por la maior
edad, decia el mismo rey;) trae algunas prue-
bas que confessamos como vulgares; pero
proceden, y hablan expressamente en compe-
tencias de parientes mas remotos al ultimo
posseedor, entre los quales no ay el beneficio
que se llama *representacion*; cuya naturaleza es,
(como confiesa *Caramuel in Philip. lib. 5. disput. 8,*
quest. 2. in princip. Et are. 4. n. 14.) identificar la
persona del padre, y la del hijo, de modo que
el hijo vivo viste la persona del padre muerto,
y es tenido por el padre mismo. y asi aviendo
representacion no ay duda que la Senora
Catalina, representando al Infante *D. Duarte*
su padre, será preferida al rey *Philippe*, como el

infante D. Duarte, si viviera, seria preferido, por prerrogativa del sexo, a su hermana la Imperatriz D. Isabel, y por consecuencia a su hijo Philippe. Pende luego la decision de la causa de saber si en ella ay representation?

25 Caramuel en su Philippe lib. 5. Disput. 8. Quest. 2. argumenta que no: y largamente quiere probarlo por dos caminos; uno que en los reynos, como en los maiorazgos, no ay representacion, sino es que en su institucion sea exprestamente admittida; y que como en la de Portugal no ay clausula que exprestamente la admitta, no deve en este reyno aver representacion. Otro que antes ay leyes en Portugal que claramente excluyen la representacion.

Para prueba de lo primero pone en el titulo del artigo 2. esta assercion: *Representationem excludi à maioratibus, nisi in eorum erectione admittatur.* Y despues que en aquel artigo pretendió probarla, continúa el filogismo en el principio del artigo 3. *Regna sapiunt naturam maioratum ac ideo eodem modo de his, & illis debes philosophari; atqui in maioratibus non habet locum representatio, nisi in institutione admittatur:*

tur: ergo nec in Regnis; Atqui in institutione Lusitanici non reperitur clausula qua illam admittat, igitur in Regno Lusitanico non debet cognosci, admitti ve representatio. Esto mismo, de que la representacion per via de regla no tenga lugar prosigue en la raçon 3^a, 4^a, 5^a. y en la 6^a procura confirmarlo con exemplos de sententias dadas, y en el art. 5. responde alos argumentos contrarios. Suppuesto lo referido, el docto Auctor del manifesto que salió en nombre del Reyno de Portugal; n. 12. hablando de Caramuel, dice: *Todo sem intento he querer mostrar que na successão dos Reynos não se deve admitir representaçõ.* Enfadase notablemente Caramuel de que se dixesse esto del; en la respuesta al dicho manifesto lib. 5. cap. 1. n. 3; sobre loqual n. 6. exclama con palabras mui alo Castellano; y es lo bueno que para probar que no avia dicho tal, lo buelve adedir d. n. 3. *Concedo que sea mi intento demostrar que la representacion es del derecho nuevo, y que no tiene lugar en dignidades soberanas, si no se admittiere en su institucion; niego lo contrario, que bien se que rual el beneficio de la representacion en algunas partes, donde*

de por ley expressa es admitido. Pues, Reverendo Padre, no es esto negar la representacion en los Reynos por via de regla, y concedarla solo en casos especiales? nadie lo negará si tiene juicio; luego el manifesto Portuguez no levantó falso testimonio a su Philippe; el qual d. q. 2. art. 1. n. 4. declaró, *Favore esse maius aliquos in quibus habeat locum representatio, sed hanc non ex communi iure, sed ex institutione singulari*; bien sabemos, como dixe al principio deste §, que Caramuel procura tambien que en Portugal aya leyes que excluyan la representacion, pero suprimir fundamento es, que aunque no las uviera, la representacion estava excluida por derecho comun; desta doctrina nos reimos; el la propuso, quiere negarla, y confiesala; quien tiene la culpa de que el no perciba lo mismo que escribe?

26 Resolvamos el punto sin embarazar-nos; Ay; conforme a reglas de derecho comun, representacion en la successión de los reynos, o no? Responde este Jurisconsulto en los lugares citados, que no la ay, sino es que su institucion specialmente la admita.

Fal.

Falsísima conclusion ; la verdadera es al re-
vez ; En la suceſſion de los Reynos , conforme
alas reglas dederecho commun ; (y tambien
en los maioraſgos) ay representacion , ſi no es
que ſu inſtitucion ſpecialmente la excluya : Bi-
en enconotrados eſtamos ; veaſe quien prue-
ba mejor loque dice. Vn lince , o un Argos
con achas encendidas a medio dia no hallará
en los libros de Caramuel que el alegue un
ſolo Dotor en terminos , para probar expreſ-
ſamente con ſu autoridad que en los reynos
no ſe dá representacion per via de regla, los
que trae, D. Art. 2. y 3. hablan en otras ſuc-
ceſſiones deque el argumenta para los reynos ;
y aviendo , como ay , muchos Dotores que
tratan el miſmo caſo en los reynos , entra lo-
que dicen el Cardenal Mantica , de tacit & am-
big. convent. lib. 4. tit. 1. n. 2. Gratian diſ-
cept. tom. 2. cap. 335. ex n. 19. y otros que al-
ly refiera , que es de Dotor pobre valerſe de
argumentos de ſemejantes , que ſolamente con-
cluyen el gruelfo juizio de hombres rudes , y
no el de los doctos , con quien ſolo tienen
fuerça las deciſiones ſpecificas. Quanty mas
que los Dotores que trae y los argumentos que
dellos

dellos forma, sacó de la alegacion de derecho que se hizo por parte de la Senora D. *Catalina*, (que refiere *in Philip. lib. 5. in proem. §. 4. n. 10.*) la qual *quest. 3. ex n. 25.* responde a estos argumentos, y muestra como aquellos doctor es hablan en materias muy diferentes; pero este escritor usó de la traça que tuvieron algunos sectarios destos tiempos, fundando sus heregias en los argumentos que el doctissimo Cardenal *Belarmino* levantó en sus controversias, y callando la solucion que el mismo propuso; no es mi intento hacer comparaciones, mas solamente declarar por este modo lo que *Caramuel* hizo; ni quiero repetir las respuestas que contiene la alegacion suso dicha, por que gastar tiempo en esto fuera seguir el exemplo de quien se ocupó en impertinencias; la sustancia consiste en mostrar los doctores que dicen y prueban, que la representacion ha lugar en la succession de los Reynos, y esto en terminos terminantes, y específicos; porque lo de mas no concluye, y es de doctor pobre, como hablan con otros, *Manica*, y *Gratiano* en los lugares referidos.

30 27. Son los doctores de nuestra verdad Ob-
rad.

drad. conf. 224. Abb. Et omnes in cap. licet de voto; Guillielm. in cap. Rainuntius verbo, & uxorem nomine Adelafiam, n. 619. Alciat. lib. 8. parerg. cap. 15. An. Gom. in L. 40. Tauri n. 65. Joan. Garc. de impens. cap. 16. n. 16. Molin. de primogen. lib. 3. cap. 6. a n. 3. & 9. Cost. de success. regni pag. 164. Valasc. de jure empht. lib. 1. quest. 50. n. 2. 8. & 12. Supponit indubitatum Bart. in Aut. post fratres C. de legit. hered. como notan Aretin; Socin; y otros que refiere, y sigue Valasc. d. q. 50. n. 6. versic. hanc; lo mismo prueban muchísimos doctores que citan Tiraque. de jure primogen. quest. 40. n. 12. Ant. Gabr. lib. 4. commun. tit. de success. ab intest. concl. 2. a n. 16. Gam. decis. 307, n. 14, y la commun opinion de quá Gom. d. n. 56 in fine; Peralta in rubr. de hered. inst. n. 121. Cov. pract. cap. 38. n. 6. vers. undecimó; Costa supra pag. 189. versic. secundó; Rolandus in responso pro Trivultius. n. 72. Bursat. conf. 67, n. 13, lib. 1, y se confirma con la platica de quá Iacobinus in tract. de feudis col. 3, additio ad Alex. conf. 4, lib. 4. Grammat. decis. 1. Capel. Tolos. 433, & post Boer. Cost. in d. versic. secundó.

Assi se determinó en la successión del reyno de Inglaterra, como refiere Bald. in L. ex hoc jure

ff de just. & jure ; Afflict. in cap. 1. in princip. n. 117, de nat. success. feudi ; Gramat. de. cis. 1, n. 17. Cost. supra pag. 190, Cujac. lib. 2. de feud. tit. 11. Assi por el rey de Francia, como dice el mismo Gramat. y Tiraq. d. q. 40, n. 13, Assi en Vngria ; ut per eundem Tiraq. ubi proximé. Assi en el ducado de Bretana, refert Cujac. d. tit. 11. assi en Aragon ; Curia en los annal. lib. 6, cap. 57. Estos exemplos juntó la dicha alegacion por parte de la Señora D. Catalina, Quest. 3, n. 17. y della por las mismas palabras, por el mismo orden, y con los mismos Autores sin mas ni menos un punto (sino la traducció en latin) los trasladó Caramuel en su Philippe lib. 3, disp. 8. q. 2, art. 5, n. 30, y quando el manifesto de Portugal, n. 8, alega los propios exemplos, dice con grande arrogancia Caramuel en su respuesta, lib. 5, cap. 2, & con pertinacia estas palabras Alaba (amigo lector) la erudicion del que compuso el manifesto; ya ves que es versado en historias de peregrinos reynos. Penetra con su observacion todo quanto se hizo en Francia, Inglaterra, Vngria, Aragon, y Bretana, y sabe que en todos estos se há admitido el beneficio de la repre-

sen-

sentacion. Pero quien solo dixo ? trasladó de mi Filippe la objeccion 2, del art. 5. de la Quest. 2. de la dispu. 8. del lib. 5. Ay tal cosa ? aviendo confessado en el mismo Philippe lib. 5, in proem. § 4, n. 10, y en mil partes otras que tiene el libro de la dicha alegacion, y aviendo la citado en el praludio § in jure con toda particularidad de quæstiones, y numeros, y aviendo la trasladado al pie de la letra tan sin disfarce, como hemos mostrado en el proemio deste papel n querer que imaginemos que su erudicion discubre todo, y que los otros le trasladyan ? no ; no creo yo en un Monge un atrevimiento tan grande ; persuadome a que habla tan confidiamente, porque, despues que trasladó de la dicha alegacion, quizá por alguna enfermedad, o humor, se le metió en la cabeça que avia sido el primer Autor de lo que avia trasladado ; cosa es factible pues quæsi lo mismo sabemos que sucedió al famoso Sancho Pança ; que (segun cuenta el verdadero historiador Miguel de Cervantes) aviendo este buen escudero inventado de si, y dicho al invencible Cavallero Don Quixote de la Mancha que la sin par ulc inea del Toboso estava en-

cantada, el mismo, que sabia que lo avia fingido, lo creyò despues de fuerte, que ni el sabio Merlin le podria dissuadir dello. En el hombre de bien es mas fragil la naturaleza, que la honra; y assi antes devemos creer en Juan Caramuel qualquiera accidente, que pensar que tuyo tan demasiada libertad. Prosigue, *Pues pobre de mi, ya que es corneja que se viste de mis plumas, y se arma de mis objeciones: porque no pone tambien la respuesta que puse?* Es como suia. *Nos non teneri subscribere decretis peregrinis.* Como si los alegaramos por leyes; valemonos de su autoridad para mostrar que en toda Europa se entiende ser este el derecho comun; segun loqual fueron dadas aquellas sentencias, pues no consta de ley special. Contra los quales exemplos toda la erudicion de Caramuel no pudo hallar en contrario mas que la sentencia que el summo Pontifice Bonifacio 8. dió en favor de Roberto Rey de Sicilia contra su sobrino Carlos Rey de Vngria; y lo que se determinó en el Reyno de Castilla en favor de D. Sancho 4. contra su sobrino; en los quales casos se excluyó la representacion; gracias a la alegacion citada, pues

(93.)

q.3. n.8.) le mostró estos exemplos, y Autores que los refieren, pero porque no trasladó tambien la satisfacion que ella contiene *ex n.49* ? ya diximos que sigue la traza de los que sacaron sus opiniones de los argumentos de *Belarmino*; con todo repito la respuesta que aquella alegacion dá, por ver si hace apetito a *Caramuel* de alegrarnos con alguna instancia tan ingeniola como suele.

A lo de Sicilia (demas de las respuestas que dan *Barb. in auth. post fratres* 2. *C. de legit. hered.*; *Bald. in L. si viva C. de bon. Mat. Grammat. decis. 1. a n. 18, Cost. pag. 183, & 186*) se responde, que aquella sententia se fundó en clausulas, y condiciones de la investidura de aquel reyno que, contra lo dispuesto en derecho commun, excluye representacion; assi lo advierten *Belam. decis. 723. n. 8. Tiraq. de primogen. q. 40. n. 16.* y no es buen argumento lo que se hizo por clausula special, para lo que procede por derecho commun. *L. quod vero 14. cum seq. ff. de Legib.* A lo de Castilla se satisface con decir, que el rey *D. Alfonso*, llamado el sabio, hizo jurar por su heredero a *D. Sancho* 4. su hijo 2. excluyendo a su nieto *D. Alfonso* de Lacerda hijo de

de D. Fernando su hijo maior ya muerto, no solo contra el derecho commun ya alegado, mas contra Leyes expresas de Castilla, de que trataremos nel n. siguiente; y como tal fue cosa mui mal recebida en Hespaña, como refiere *Garibay lib. 13. cap. 4.* a crecentando *cap. 15.* que en castigo de cosa tan mal echa permitió Dios que el mismo su hijo le hiciesse guerra, como tambien nota *Curita annal. lib. 4. c. 15.* y assi arrepentido el padre le desheredó en su testamento llamando al nieto, como cuenta su *chronica cap. 76*; pero, porque ya estava en posesion del Reyno, no pudo el nieto quitarse lo por mas que hizo diligencias, y protestos, de que trata la dicha *Chron. cap. 65. Curit. d. lib. 4. cap. 10. y lib. 5. cap. 59. Garibay d. lib. 13. cap. 26.* y finalmente, reynando ya D. Fernando hijo de D. Sancho, el Rey de Portugal D. Dyoniso, y el Rey de Aragon D. Iames 2. los concordaron en que D. Alfonso uviessse ciertos lugares, y dexase el titulo de rey; lo qual no fue sentencia en rigor de derecho, sino un arbitrio supuesto el estado de las cosas en que seria imposible privar a D. Fernando del reyno; segun todo consta de la *chron. del mismo D. Fernando*

dinando cap. 22. Curit. d. c. 59. Estas son las razones que nos pide *Caramuel en su respuesta lib. 5. cap. 1. n. 7.* que le demos para probar que la exclusion del nieto fue injusta ; dice que la sabiduria del rey D. *Alfonso* es acclamada en toda Europa, y deve acordarse que mas sabio fue Salamon, y peccó ; y que la sabiduria de D. *Alfonso* paró en blasphemar, que si el ubiera creado el mundo, lo creara mas perfecto que lo creó Dios. triste refugio es recurrir a una accion de un sabio como este ; y de que el mismo en su testamento se arrepentió ; accion finalmente cuya injusticia anda en proverbio, con el derecho que los descendientes del Principe de Lacerda tienen a aquella corona.

Lo que mas es, *Caramuel in Philip. lib. 5. disput 4. quest. 3. art. 1. & disp. 6. theorem 4 n. 7.* y en otros mil lugares assi de aquel tratado como de la respuesta a nuestro manifesto, confiesa y aun prueba ex professo largamente (con los fundamentos que sacó de la alegacion tantas veces citada, q. 1. ex n. 43. que los reynos de Portugal por muerte del ultimo possedor se defieren *jure* que llaman *hereditario* ; y si tuviera fundamento en derecho, viera que, aviendo con-

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fechado esto, quedava confessando por necessaria consecuencia que en la tal succession ay representacion, indusida generalmente en las successiones hereditarias por regla commun, *extx^a in §. cum filius Inst. de heredit. qua abint. def. auct. de herod. ab int. ven. in princ. & in verfic. quia igitur junctū, § §. Seqq.* Será menester que se ponga mejor en la differentia que ay entre *jus hereditarium*, & *jus sanguinis*, y effectos que nacen della, y entonces delidigase, y traiga argumentos para probar que este reyno no se defiende, sino *jure sanguinis* (como cueradamente pretendieron los que negavan representacion) y diremos que habla como letrado; y no tan ageno dello como ahora.

Aviendo, pues, mostrado que de dercheo commun ay representacion en la succession de los reynos, siguefe que lo mismo es en Portugal, mientras no se mostrare ley particular en contrario, porque las deste reyno mandan expressamente que el derecho commun se guarde en loque no estubiere decidido por ellas. *Ord. lib. 3. tit. 64. in princip.* y lo confiesa Caramuel *in pralud. Philip. §. quidquid.* y en la respuesta que vamos convenciendo *lib. 1. tit. D. Alfonso 2. § el derecho.*

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28 Mas en particular que aya representacion en los Reynos de Castilla dispone claramente la *Ley 2. tit. 15. part. 2.* como della notaron *Paul. Castr. conf. 164. Cov. d. cap. 38. n. 6. versic undecimó*; *Cost. de suceff. Regni pag. 165. versic. unde. Peralt. in d. rubr. de her. inst. n. 122. Molin. d. lib. 3. cap. 6. n. 3. & 9. Gom. in d. l. 40. n. 65. infin. Garcia d. cap. 16. n. 26.* Lo qual aquella ley suppone como cosa no que induse de nuevo, sino ya ordenada por leyes antiguas, y recebida por costumbre en todos los reynos de Hespana. ibi, *esto usaron siempre, &c. mayormente en Hespana.* Como ponderan *Molin. d. cap. 6. n. 27. y Garcia d. n. 26. l*

Y siendo esto determinado por leyes, y recebido por costumbre de Castilla, (quany mas de toda Hespana, como la dicha ley dice) lo mismo avia de admitirse en Portugal en falta de otra ley, pues las del reyno vesino le deven ser subsidiarias; *argum. txs in cap. cum olim de consuet. cap. super eo de censib. cap. super eo de cogn. spir. & utrobique glosacum DD.* Y en Portugal particularmente lo advierte *Dottissimus senator Cabedo 1. p. decis. 211. n. 8.* Y hablando en terminos de nuestra materia lo confiesa *Caramuel*

in *proludio Philip. 6. preterea* & lib. 5. *disp. 4. q. 1. art. 1. n. 5.* probandolo con los doctores y textos que trasladó de la dicha alegacion *quest. 2. n. 17.* por las mismas palabras, y orden, sin acrecentar, disminuir, ni mudar una letra.

29 El mismo in *Philip. 1. 5. disp. 8. q. 2. art. 2. n. 6.* reconoce bien que por el derecho commun tiene lugar la representacion en la corona Portuguesa; viendose apretado dice: *Respondeo, nusquam fuisse mentem meam, hanc conclusionem esse extra omnem controversiam, quia si talis esset, cur resumerem calamus? questio est sanè difficilis, & habet utrinque propugnantes.* Y luego abaxo *sufficit nobis habere Auctores illustrissimos, fortissimáq; fundamenta.* (con esto se contentava, pero ni tiene fundamento stable, ni un solo Autor malo, o bueno) y assi passa a otra manera de argumentar pretendiendo que en Portugal está expressamente excluida la representacion por particulares leyes.

La 1. que alega d. *q. 2. art. 3. y en esta respuesta, d. lib. 5. c. 1. ex n. 11.* Son los capitulos 3. y 4. de las cortes de lamego que dicen assi. III. *Vivat dominus Rex Afonsus, & habeat regnum; si habuerit filios varones, vivant, & habeant regnum; ita*

ut non sit necesse facere illos de novo reges. Ibunt de isto modo: Pater, si habuerit regnum, cum fuerit mortuus, filius habeat, postea nepos, postea filius nepotus, & postea filios filiorum in secula seculorum per semper. IV. Si fuerit mortuus primus filius vivente rege patre, secundus erit Rex; si secundus, tertius; si tertius, quartus; & deinde omnes per istum modum. Destas leyes saca Caramuel: Para que uno herede a su padre en el reyno de Portugal se requiere que su padre sea actualmente Rey quando se muere, como lo instituye expressamente la ley 3. el primogenito que muere antes de heredar no es actualmente Rey quando se muere; luego el nieto no hereda la corona. sino el hijo 2. y si este se muere antes de heredar, no succederá su hijo nieto del Rey, sino su hermano hijo 3. del Rey vivo, como se afirma en la ley 4.

Viendo esta interpretacion, (o la del Philippe d. art. 3. que viene a ser la misma) aquel erudito anonymo que hizo la translacion de *jure succedendi in Regnum Lusitania*, en el appendix corollario 4. ad fin. dice de su Autor: Tam ineptè, & absurdè interpretari omnia solet, ut perverso, ac prapostero sensu exponat; itaque cavendum ne in sacras literas comentarios edat, ne illas

interpretando corrumpat. Yo menos riguroso respondo primeramente que el argumento susodicho es *à contrario sensu*: diciendo: la ley dispone que suceda el hijo del padre que fuere Rey, luego si el padre no uviere sido Rey no sucederá el hijo; niego la consequencia; porque en derecho commun está dispuesto que el hijo deste padre que no llegó a ser Rey, herede a su aguelo que lo fue; *per tx. in §. cum filius Inst. de her. qua ab int. def. y lo mai alegado. n. 27*; y para emendar este derecho no bastan argumentos *à contrario sensu* l. 2. C. de *condit. insert*; latè *Everard. in top. argum. & omnes passim.* Y assi se platicó en el Rey D. Sebastian que, sin contradiccion delos principes que avia, sucedió a su aguelo D. Iuan. sin embargo que su padre no llegó a ser Rey.

2º. Distinguo la proposicion maior del argumento: *Para que uno herede a su padre en el Reyno de Portugal se requiere que su padre sea actualmente Rey quando se muere*; concedo; porque si el padre no fuere Rey, no ay Reyno que el hijo pueda heredar del; Mas *para que uno herede a su aguelo que fue Rey se requiere que su padre sea actualmente Rey quando se*

se muere, (que es nuestro intento) niego; porque ni se puede verificar, ni aquella ley 3^a lo dice; habla solamente de la succession del hijo al padre Rey, yno dispone cosa alguna en succession de nieto, hijo de padre que sino fue Rey, al aguelo que lo fue; y omittiendo este caso lo dexó a la disposicion del derecho commun *juxta tx. in L. commodissime ff. de lib. & posth*; la qual es que entre el nieto en lugar del padre por representacion, como está dicho. Que si la ley quisiera excluirlo, lo declararia, siendo cosa tan notable; como a semejante proposito dice el *tx. in cap. ad audientiam de decim. L. item apud Labeonem 15. §. ait prator in 2. ff. de injur*; ibi: *ea enim quæ notabiliter fiunt, nisi specialiter notentur videntur quasi neglecta*. Y assi lamismas leyes de Lamego quando en el *cap. 5. admittieron* ala succession el hermano del Rey que no dexó descendientes, no se olvidaron de excluir los hijos de esse hermano; ni de hacer otras declaraciones que vemos en todo su discurso. Ni ay que reparar en las palabras. *Pater, si habuerit Regnum cum fuerit mortuus*: porque no fueron puestas por modo de condicion, sino por manera de disposicion
mas

mas ampla, segun la frase de aquel tiempo que se ve bien en todos los capitulos de las dichas cortes; porque la diction, *si*, no siempre hace condicion; glosa verbo, *pura*, in l. 2. §. *si in diem ff. pro empt. glos. 2. post princ. in cap. significasti de elect.* unas veces se pone por, *siquidem*; Plaut. in amphi. *Si similem rem ipse in legem iussit esse Iupiter. Virgil. 1. Georgic.*

————— *Vestro si munere tellus*

Chaoniam pingui glandem mutavit arista.
En otra parte — *Si concessa peto.* — Otra vez *Si qua est celo pietas.* Adonde Servio explica, *Si*, por, *Siquidem*; Siguelo Calepin *indict*; *si*; e otros lugares se pone por, *quia*, Calepin *supra*; Augustin. Barbof. de diction. *dict.* 364. n. 9. adonde n. 5. la interpreta por, *quavis*, y n. 10. dice que tam bien se toma por, *quando*; ex Bart. in l. *hac verba* n. 4. de legat. 1. *et alius*. Muchas veces es lo mismo que, *cum*, l. *si fidejussor* 29. §. *si cum debitor ff. mandati*; *bonus textus in l. quodcunque* 45. §. *non solum ff. de verb. oblig.* Viene pues, adecit nuestra ley; muerto el padre que tuvo el Reyno; o, pues el padre tuvo el Reyno; o, muerto el Rey padre, le suceda el hijo; o dixo, que suceda el hijo a su padre que tuvo el Reyno; porque, como ya hemos

hemos tocado, si el padre no fue Rey, no ay Reyno que el hijo pueda heredar del (del aguelo si) esto se entendia aunque la ley no lo exprimiera; entra luego Bart. in L. tuto 6.º. sub conditione ff. de tutel. poniendo por conclusion: *expressio ejus quod tacite inest dispositionem conditionalem non inducit.* y lo prueba por aquel texto; no aviendo condicion, cessa el argumento; y desta suerte queda mui corriente el sentido, mas como quiere Caramuel, notablemente confuso, contra la simplicidad amiga de las leyes, como la llama el tx in 6.º. *ceterum inst. de legit. agnat. succes.* quanty mas que nunca el argumento a contrario sensu seria valido contra lo dispuesto por derecho, segun ya advertimos.

3º. Niego lo que dice Caramuel en su argumento; que si el primogenito muere antes de heredar, el nieto no hereda la corona, sino el hijo 1.º y si este se muere antes de heredar, no succederá su hijo nieto del Rey, sino su hermano hijo 3.º del Rey vivo; como se afirma en la ley 4.º. La ley 4.º no afirma tal; porque quando dice que al rey succeda su hijo primero; y si muriere vivo su padre, succeda el 2.º y assi el 3.º y 4.º quiso solo declarar lo que la ley 3.º avia dicho, *Viva Dominus Rex*

Afonſu, & habeat regnum; ſi habuerit filios varo-
nes, vivant, & habeant Regnum, ita ut non ſi ne-
ceſſe facere illos de novo Reges; y porque no pa-
 recieſſe que llamava todos los hijos del rey jun-
 tamente para dividir el Reyno, o para guover-
 narlo juntos; declara: *ibunt de iſto modo:* lue-
 go diſpone que ſuceda el hijo mayor; y ſi eſte
 muriere, ſuceda el 2. y muerto eſte, el 3. &c. eſte
 fue ſolo ſu intento y no excluir los hijos del pri-
 mogenito en que no habló eſta L. 4, antes ſe en-
 tiende que muerto el primero ſuccederá el 2. ſi
 aquel no dexare deſcendientes, y aſſi ſuccederá
 el 3. ſi el 2. no los dexare tambien; porque, avi-
 endolos, han de ſuceder por la representacion,
 como juſticiamente explicó el manifeſto Por-
 tuguez n. 15. *verſic. Tambem.* Y para que eſto ſea
 mui facil alos no letrados, (que para los letra-
 dos no tiene dificultad) deven ſaber que es
 principio *per L. ſi quando C. de inoff. teſtam.* que,
 diſpuesta una vez qualquiera coſa por derecho
commun, no es viſto revocarse ni por otra ley
 del miſmo derecho *commun*, ni por ley parti-
 cular de Reyno, aun que pareſca que la revoca,
 ſi la miſma ley poſtrera por palabras expreſſas
 no declara que revoca la diſpoſicion antigua;

y esto (demas de otras razones) constituyeron los legisladores , como tan advertidos preveniendo a que un *Juan Caramuel*, o otro interprete semejante no explicasse alguna ley nueva conforme a su gusto , o juizio de manera que veniesse a destruir lo que los antiguos avian establecido con maduro consejo. Confirma esto en nuestro caso el gravissimo doctor Castellano Molina *de primogen. lib.3. cap.8. n.2. et.5.* poniendo por conclusion cierta que para excluir representacion son necessarias palabras expresas; y aquy ni ay ambiguas.

4º. Que dirá *Caramuel* si muestro que las dichas leyes no solo no excluyen representacion, mas la indusen expressamente? advierta ahora. dice la dicha ley 3. *Vivat Dominus Rex Afonsus, & habeat Regnum. Si habuerit filios varones, vivant, & habeant regnum, ita ut non sit necesse facere illos de novo reges.* Y porque no parezca que llama juntamente a todos los hijos varones, prosigue declarando: *Ibunt de isto modo; pater si habuerit regnum, cum fuerit mortuus, filius habeat, postea nepos, postea filius nepotis.* Por ventura dice, o entiende que este nieto tendrá el reyno despues de tenerlo su padre, como quiere

Caramuel ? no por cierto; porque entonces no devia ser llamado nieto de Rey, sino hijo de Rey, pues su padre lo avia sido; y tambien, siendo hijo de Rey, ya estava llamado a la sucesiõ del padre; ibi. *filius babeat*; y seria mui impertinente repeticiõ llamarlo otra vez. habla del nieto de Rey, cuyo hijo, padre deste nieto, no fue Rey; y a este nieto dá la sucesiõ, disponiendo que muerto el padre (aguelo en respeto del nieto) que fue Rey, le sucederá el hijo maior) y despues el nieto; esto es si el padre murió en vida del aguelo, segun se contiene en la ley siguiente, que deve ser trahida a la explicaciõ de la precedente, como manda el *l. in l. sed & posteriores 28. ff. de legib.* y siendo otro si muerto el nieto en vida del aguelo, si esse nieto dexó hijo, el tal hijo del nieto, dispone la misma ley que suceda, y assi los de mas descendientes, ibi. *Et postea filios (alias filii) filiorum in sacula saculorum per semper.* Es lo mismo que decir que en los descendientes avrá representaciõ hasta infinito, que es la fraze por que la concede el derecho commun; y sola esta manera de hablar bastara para mostrar quanto se conforma con el. Sigue luego la ley 4. la forma de la

la successiõ: *Si fuerit mortuus primus filius vi-
vente rege patre*; (entiende no aviendo quedado,
del, nieto, bis nieto, o otro descendiente, llamado
en la L. anteced. por la qual esta se deve declarar;
L. non est novum 26. cum seq. ff. de legib.) entonces,
*secundus erit rex; si secundus tertius; si tertius, quar-
tus; & deinde omnes per istum modum*, a saber si del
maior en edad no uviere descendientes por el
modo que se dispuso en el hijo primogenito: To-
do esto está mas que evidente en las leyes referi-
das a qualquiera persona que no fuera *Iuan Cara-
muel*; y quando no lo estuviera tanto, bastava
la doctrina general que manda interpretar las
leyes municipales de modo que no offendan el
derecho comun. *Greg. Lop. in l. 9. tit. 13. p. 6.*
glosa, a mudar; Gutierr. civil. lib. 3. q. 15. ex n. 34,
*& q. 29. n. 6, & in repet. §. sui n. 47. Inst. de be-
red. qualis.* Y assi las dichas cortes antes son en
nuestro favor, pues claramente inducen repre-
sentacion en la successiõ dela Corona Portu-
guesa.

Las otras leyes de Portugal de donde quiere
probar *Caramuel* que en este Reyno está excluida
representacion, es una que la excluye en la suc-
cessiõ delos bienes que salieron de la corona

Real por donacion de algun Rey a algun vasallo, otra que en los bienes emphiteuticos dispone lo mismo, y otra que ordena que en los maioresgos suceda el pariente mas cercano al ultimo poseedor; alegolas *en su Philippe d. q. 2. art. 3. n. 13.* y repetiolas, aunque diminuto, en esta respuesta *d. lib. 5. cap. 1. n. 15.* y se las mostró aquella celebre alegacion (en que consiste toda su biblioteca) *q. 3. n. 3.* laqual responde abaxo *ex n. 28.* loque yo dixi en la censura de Pellicer *9. mas como quiera, y siguiente;* que es en substancia proceder lo primero en virtud de la particular ley que llaman *Mental*, que dá cierta forma para deferir se los bienes salidos de la corona *jure sanguinis*, como notó Molina el mas grave Castellano en la materia *d. lib. 3. cap. 7. a n. 12. Velasc. lib. 1. de jur. emph. q. 5. n. 22. Gam. decis. 174. n. 18.* y así no admitten representacion; pero no hacen argumento para el mismo reyno, en que la ay, por de ferirse *jure hereditario*, como confiesa Caramuel sin conocer los efectos desta diferencia; segun ya advertimos *n. 27. versic. lo que mas es.* Ni es de momento la replica que hace en la respuesta *d. cap. 1. n. 17.* porque no es mas que fundarse otra vez en las cortes de Lamego;

me go ; con el absurdo que acabamos de ver.
Lo 2º. procede solo en las emphiteusis de nombramiento libre ; que el emphiteuta puede nombrar , ex concessione dominicá , en quien quisiere sin respecto a heredero ; como notó Cost. *De success. Regni*, pag. 105. *Valase d. 9. 50. n. 6.* adonde dice que aquella ley no procede en las emphiteusis hereditarias en que, conforme a derecho, tiene lugar la representacion ; como resuelven *Alex. cons. 129. col. ult. lib. 1. Cov. pract. c. 38. n. 13. Molin. d. cap. 7. n. 19.* con lo qual este argumento Viene aser por nuestra parte. A lo 3º. se responde que la ley extravagante en que se funda no hizo otra cosa, sino, en la quæstion que avia, si en los maioraosgos devia suceder el pariente mas proximo al instituidor, o al ultimo possessor ? resolver en favor deste ; sin excluir representacion , antes se llama pariente mas proximo el que entra en virtud della ; *juxta auth. post fratres 1. §. hi aut. C. de leg. bar. ibi. hi autem fratrum filii, cum pares sint defuncti fratribus* ; como en Castilla por la l. 9. tit. 1. p. 2. muerto el Rey sin hijos es llamado su pariente mas cercano ; y este se verifica en el que entra por representacion ; por la l. 2. tit. 15. part. 2. como observó

servó *Molin d. lib 3. cap. 8. in fin.*: Y quando to do esto faltara, sobrava la declaracion que hace la dicha extravagante en las ultimas palabras, ibi: *E na soccefaõ dos bẽs da Coroa naõ averá lugar esta Ley.* Y como *Caramuel* sobre estas respuestas, que ya vió en la censura que hize, no halló replica; no es menester que nos detengamos mas.

Con el derecho referido concuerdan el testamento del Rey, *D. Iuan 1*, y declaracion del Rey *D. Alfonso 5*; que confiesa *Caramuel d. q. 2. art. 5. n. 32. y 36. y en la respuesta d. lib. 5. cap. 2. n. 19. y 23.* En que claramente supponen, y aun dicen que en la succession del Reyno ay representacion; y quando aquellos papeles no tengan fuerza de leyes, como este auctor quiere, basta que contengan testimonios tan autorizados de que en Portugal se usó, y entendió siempre que avia lugar el derecho deste beneficio.

30. Ahora echa el *P. Iuan Caramuel* el resto de su sciencia para confundir nos sin remedio. En la respuesta al manifesto *lib. 5. cap. 1.* pone este titulo: *Respondese con efficacia* (parece que ya confiesa que hasta ally no avia respondido eficazmente) *a las razones conque el Reyno de Portugal*

Portugal prueba que se á de admittir el beneficio de la representacion. Y comienza el capitulo: *Quien creyera que Monarchia tan illustre, y opulenta avia de venir a estado tan infelix, y misero, que no tuviesse un sylogismo conque probar el derecho que finge?* Dios selo pague al buen religioso la compassion que tiene de nuestras miserias; considera, pues, que andamos mui mal en decir que en la succession de Portugal ay representacion; porque a averla notenia derecho la Señora D. *Catalina*; pues si por virtud della pretendia el del Infante D. *Duarte* su padre, mucho mejor lo tenia el Principe de Parma *Rainuncio* por ser hijo de la Señora D. *Maria* hija tambien del mismo Infante, hermana maior de la Señora *Catalina*, y que como tal la precedia, y que assi nunca tenemos derecho; porque si no ay representacion precedió el rey *Philippe 2* en igual grado, por varon, y de maior edad; y si la ay, precedió el Duque de Parma representando al Infante su aguelo por el derecho heredado de su madre que precedia a la Señora *Catalina*; concluye: *El movimiento Scholastico desta balança Real consiste en las fuerças robustas de solo este dilema: O se á de admittir en la succession desta corona el benefi*

cio de la representacion, o no; si se admite se excluye el Duque de Bergança; excluyese si no se admite luego su causa no puede subsistir. Bravo argumento! y sehalla tan satisfecho deste discurso, que en todo el lib. 5. hace poco mas que repetirlo; en la margen de aquel cap. 2. le llama, *dilema fortissimo*; otra vez en el lib. 6. cap. 3. n. 18. le dá el titulo de, *robusto syllogismo*; mas que descansados se echaran a dormir los Portugueses, si los Castellanos no supieran mas de guerra, que este su escritor sabe de derecho! no le culpo en lo que ignora, aunque sean vulgares principios, antes merece alabanza en saber algo de lo que no es su profesion; con todo no puede excusarse de meterse en escrivir en sciencia aiena, para caer en yerros pueriles; pero, dexado esto, será obra de charidad instruirle un poco en la materia de representacion para quando se le offresca hablar della. Sepa, que aunque esta se dá usque in infinitum para succeder a ascendientes, *Por el tx. in s. cum filius Inst. de hered. qua. ab int. cum aliis*; no es asi quando se trata de succeder a colaterales, porque entonces no ay representacion, si no entre hermanos, y sus hijos (para succeder al tyo) y no se extiende a los nietos; no será menester rebolver

rebolver mucho para estudiar esto ; hallaralo en un texto capital que está en un libro del derecho civil (que communmente llamamos, *Volumen*, y es quinto) en los *authenticos*, y se llama *Authentico de hered. ab intest. ven. collatione* 9 ; en un §. que comienza, *figitur*, 2. ibi : *Solus præbemus fratrum masculorum, & faminarum filijs, aut filijs*, dice : Damos el beneficio de la Representacion a solos los hijos, o hijas de los hermanos, o hermanas. Y en el §. si vero neque, dispone así : *Si verò neque fratres, neque filios fratrum (sicut diximus) defunctus reliquerit, omnes deinceps à latere cognatos ad hereditatem vocamus, secundum uniuscujusque gradus prærogativam, ut viciniore gradu ipsi reliquis præponantur.* En romance : Pero si el defuncto no dexare ni hermanos, ni hijos de hermanos (como diximos) llamamos a la herencia todos los otros parientes colaterales, segun la prerrogativa del grado de cada uno, o, Segun la prerrogativa de cada un grado (que todo es uno) para que los mas vecinos en grado, effos mismos sean antepuestos a los de mas. Y si se embaraçare con este texto pareciendole diffuso, busque en los nueve libros delCodigo, que es otro volumen del derecho civil, un titulo de *legitimis heredibus*; y debaxo del una *Authen-*

tica que comienza, *post fratres*, la 2ª, (porque ay dos que comienzan así ;) y lerá estas pocas palabras: *Post fratres, fratrumque filios vocamur quicumque gradu sunt proximiores*, significan . después de los hermanos, e hijos de hermanos, son llamados aquellos que son mas proximos en grado. No puedo aqui darle rason desto por menor, mas de espacio puede leer Còv. pract. cap. 38. n. 7. verfic. 3º. ad intellectum ; Tiraq. de primogen. q. 41. n. 4. Ant. Gom. in l. 8. Taur. n. 18. Ant. Gabr. com. tit. de Succes. ab intest. concl. 1. n. 13 ; conforme aloqual, pues se tratava de la succesion del Rey D. Henrique, avia representacion entre el Rey D. Philippe 2 ; y la Señora D. Catalina, por ser hijos de sus hermanos ; y tambien la devria aver entre la Señora D. Maria, si fuera viva ; pero, siendo, como era, ya muerta, no se extendia, el beneficio de la dicha representacion a Rainuncio su hijo, porque no era hijo, sino ya nieto, del Infante D. Duarte hermano de D. Henrique, aqui en se succedia ; en los quales terminos no gofando de aquel beneficio, y estando mas remoto un grado, era precedido de la Señora Catalina mas proxima parienta del mismo D. Henrique. Y de aqui sabrá tambien Caramuel lo que no sabe

sabe en su respuesta lib. 3. cap. 2. n. 24. y 25. porque ael Rey D. Sebastian succedió sin controversia D. Henrique su tyo, hermano de D. Iuan 3. su aguelo (puesto que fuera de menor edad que D. Duarte su hermano, lo que se niega) y fue porque los hijos de D. Duarte fallecido estavan con D. Sebastian en grado remoto a que no llega representacion; y así le succedió D. Henrique como pariente mas llegado; ni obstan las palabras que alega del P. Molina doctíssimo Theologo, in tract. de just. disp. 632. tract. 2. que viene a decir lo mismo que Garauel; porque, hablando contra principios de derecho tan claros, no hace mas que ser testigo de la infelicidad con que ordinariamente los Theologos escriven en la jurisprudencia, y todos en la sciencias que no professan; de que son notorios los exemplos, que no es decente repetir; de manera que le tiene por maravilla el acierto con que el P. Sanchez trató puntos legissales en su libro de matrimonio; y grandes hombres se duelen particularmente de que el P. Molina empleasse en aquella obra el raro ingenio de que Dios le dotó, pudiendo lucir con extremo en materias puramente Theologicas; no es buen Autor un Theologo

para controvercias de jurisprudencia; ni Bartolo para questiones de Theologia. *Tractent fabria fabri.* Seria ragonable que, en materia legal, creyeramos a *Molina* Theologo quando en las palabras que refiere *Caramuel* dice *Molina* (jurisconsulti) *opinionem falsam esse?* quanty-
mas que el P. *Molina* era Castellano; defendia las partes de su Rey; esso le cegó para no ver la verdad.

Asi que por todos caminos no ay duda que en la succession de la corona de Portugal tiene su lugar la representacion.



TITVLOS,

Que dieron el derecho de succeder a la Señora D. Catalina, excluyendo a D. Philippe 2. Rey de Castilla.

31. Primero y principal fue el beneficio de la representacion; que, teniendo lugar en la
corona

corona Portuguesa, como indubitablemente se mostro ex n. 26 puso ala Senora D. Catalina en el lugar del Infante D. Duarte su padre hijo del Rey D. Manuel de gloriosa memoria, y hermano del Rey D. Henrique, a quien se sucedió, y assi ella era su mas cercano pariente con precedencia a los demas, como diximos, n. 24.

32 Segundo titulo fue el derecho de agnacion; probado con este syllogismo. los agnados se preheren alos cognados en la succession de sus parientes; *L. i. ff. quis ordo in bon. possess. L. ad intestati. 5. L. patruo 7. C. de legit. hered. princ. inst. de success. cognat.* El Rey D. Philippo por ser hijo de hermana del Rey D. Henrique (de cuya succession se tratava) era su cognado, *L. inter agnatos ff. unde cogn. tx. in princ. versic. sunt autem, Inst. de legit. agn. tut.* Y la Senora D. Catalina, por ser hija de hermano del mismo Rey D. Henrique, era su agnada; *L. sunt autem ff. de legit. tut. d. versic. sunt autem in princ. Inst. de leg. agn. tut.* (porque no dexava de ser agnada por ser hembra, *L. pronuntiatio ad fin. ff. de verb. signif. 6. ceterum Inst. de leg. agn. success.* ni por ser casada; *L. voluntas C. de fidei comm.* miss.

miss. luego devia ser preferida en la dicha succession. Ni obstará a la proposicion maior de este argumento, si se dixere, que la diferencia antigua de agnados, y cognados está oy quitada por derecho mas moderno *in Auth. post fratres 1. in fin. & in corpore unde sumitur, C. de legit. hered.* Porque se responde que esta diferencia está quitada para que todos succedan igualmente en las cosas divisibles, mas en lo indivisible, como un Reyno, no pudiendo succeder mas de uno, es claro que succederá el agnado, conforme al derecho antiguo que no está revocado en este caso; como lo sentió *Molin. lib. 3. cap. 41. n. 4. juncto n. 2. versic. 4^{um}.* Y assi vemos tambien que se platica cada dia ser preferido el varon, aun que de menor edad, a la hembra, en estas cosas indivisibles; quando entrambos son agnados, sin embargo que la diferencia antigua entre varones, y hembras para las successiones hereditarias, está oy quitada por la *L. maximum vitium C. de liber. prater. L. lege C. de legit. hered. Aut. de hered. ab int. ven. §. si vero, versic; nullam*, que los admite igualmente, entendiendose en herencia divisible; por loqual en nuestros mismos terminos resuelven
por

por la hembra agnada, contra el varon cognado, *Paul. in l. sed si hac s. qui manumittitur ff. de in iur voc. & ibi, Alex; Socin; & alii volati a Tirag. de jure primogen. q. 13. n. 6.*

Todo confieſſa Caramuel *in Philip. lib. 5. d. diſp. 8. q. 3. art. 1. & 2.* mas en el *art. 3.* dice que eſſo no procede quando la agnada y el cognado concurren en el miſmo grado, como era en el caſo preſente; porque entonces el cognado há de ſer preferido, trae para prueba deſto, el *cap. 1. de eo qui ſibi, & hered. in uſib. feud;* y conſiado dice que ally ſe define expreſſamente que en ſucceſſion de coſa indiviſible, qual es el Reyno, concurrendo agnada, y cognado en el miſmo grado, el cognado há de preceder. Sacó eſte argumento, y doctores que tratan del por las miſmas palabras, y orden ſin diſfaçarlo en un punto, de aquella alegacion Portugueſa por la Señora D. Catalina, *illatione 4. n. 47.* y continuando con callar las reſpuestas que ella miſma dá, ſe quejará ſi continuamos en decir que uſa dela traça conque los Sectarios deſte tiempo ſe aprovecharon de las controvercias de Belarmino; dirá que no vió tales reſpuestas; repetimolaſ por ver ſi ſe acuerda. Es una, que leyó mal ſi

leyó que en aquel texto concorria agnada con cognado; pues no concorrian sino hijas de un hermano, con hijo de otro hermano; y así todos eran agnados, y, siendolo, con razón fue preferido el agnado, que era agnado, y varón; pero en nuestro caso concorria agnada, y cognado, y así vea la diferencia. Otra que aquel texto no pone regla general, sino que habla particularmente de un feudo en que por clausula special no entravan hembras, mientras ubiesse varones, aunque en mas remoto grado; ibi: *Ha. redibus suis masculis, vel, eis deficientibus, feminis.* Y así era claro que no tenían lugar las hijas de un hermano, con el primo que era varón, (aun en caso que no fuera sino cognado,) y esta razón dá el texto ibi: *Non enim patet locus feminis in feudi successione donec masculus superest ex eo qui primus de hoc feudo fuerit investitus;* ponderolo Molin. d. lib. 3. cap. 8. n. 9. Sösbeck. de feud. p. 10. an 143. por aquellas palabras, ibi: *de hoc feudo.* Pero en nuestro caso las hembras son igualmente capaces, como los varones, segun confiesa Caramuel in Philip. lib. 3. disp. 8. q. 1. y es indubitable. Y no procede en forma quien argumenta de una decisión fundada en razón special, para lo

lo que se gobierna por las reglas ordinarias; *Et quod vero 14. cum seq. ff. de legibus.* Y se ve bien que de aquel texto no sepuede hacer ilacion para la succession de Reyno; pues, a hacerse, se figueria que si por muerte del ultimo Rey quedasse una hija suya, y un sobrino suyo hijo de su hermano, (que es el proprio caso de aquel texto en el feudo) este excluiria la hija; que es absurdo evidente. Yo pongo por respuesta tercera, que, pues *Caramuel* confiesa que aun oy ay diferencia entre agnados, y cognados para succeder en las cosas indivisibles, como es un Reyno; de fuerza ha de confesar, que esto es quando estan en el mismo grado; porque estando en diverso (quando no ay representacion, como el no quiere que aya aqui) sin essas diferencias de agnado, y cognado, siempre el mas proximo succede en la tal cosa y assi se confunde su solution.

33. Tercer titulo fue la mejor linea. Pruebase; porque para aver de succeder en bienes vinculados, que deven andar en una sola persona de cierta familia se consideran quatro qualidades con preferencia una a otra; 1.^a Linea; 2.^a Grado; 3.^a Sexo; 4.^a Edad; por manera que mien-

tras ay persona en mejor *linea* es preferida a los otros parientes del ultimo poseedor, aunque esten en mejor *grado* de otra *linea* no tan buena; y entre las personas de la misma *linea* precede la que está en mejor *grado* con el ultimo poseedor, o sea varon, o hembra; y así de discurre en el *sexo*, y en la *edad*; es doctrina commun, que con muchos d.d. firma Molina de *primog. lib. 3. cap. 4. n. 13*; y *cap. 6. n. 50*; y lo confiesa Caramuel, in *Philip. lib. 5. disp. 8. n. 55. in resolutione*. Para formar las *lineas* se consideran los hijos de aquel ultimo poseedor de que ay descendientes; de modo, que siendo Don Manuel el ultimo Rey de Portugal de que quedaron descendientes; todos los hijos que le nacieron formaron su *linea* capaz de succeder en el Reyno. *Ubi ex aliis resolvit Pelaez de maiorat. 2. p. 9. 7. n. 13*. Y para verse qual es la mejor *linea* para ser preferida como tal, se attende la prerrogativa que tenia cada uno de aquellos hijos que les dieron principio; y la *linea* de aquel que precedia a sus hermanos por *sexo*, o *edad*, precede tambien a las *lineas* de los mismos hermanos que eran precedidos; de fuerte que mientras ay persona de la *linea*, (que es lo mismo que descendencia) de aquel

aquel que tenia primero lugar a la successiõ del ultimo possedor ascendiente, o colateral; no puede ser llamada persona de otra linea; pero acabada la mejor linea, entonces entrará la 2^a. y asila 3^a. esto consta de lo que resuelven, *Molin. d. lib. 3. c. 6. tn. 31. Guillielm. de Monserrat. in tract. de success. Regn. Franc. rub. 1. n. 7. in tract. doct. y otros que estos citan*; y como el Infante D. Duarte hijo del dicho Rey D. Manuel, por la qualidad de varon, excluya a su hermana D. Isabel; asila linea enque la Señora D. Catalina su hija se hallava es mejor que la de la dicha Emperatriz D. Isabel, en que se hallava el Rey D. Philippe; y por consequencia la Sen. Catalina precedia a D. Philippe, por mejor linea; y al Principe de Parma Rainuncio (que estava en la misma linea) por mejor grado, por ser mas llegada al ultimo Rey D. Henrique, suppuesto que la representacion no se extendia a este Principe, como está advertido n. 30.

Contra esta evidencia argumenta Caramuel, *d. disp. 8. q. 4. n. 56.* que no se puede considerar otra linea sino la del Rey D. Manuel; en la qual estava el Rey Philippe; la Sen. Catalina; y todos los mas pretendientes; poco, o nada importava

esto, pues siempre la Sen. D. Catalina precedia por la *representacion*, y *agnacion*; como está mostrado; pero, pues tratamos el punto, es necesario decir, que este Autor quiso probar principalmente su intento con el texto *in cap. 1. de nat. success. feudi*; aun que no acertó a expenderlo tan bien, como lo expende la alegacion referida (que es todo su caudal) *d. illat. 4. n. 58*; su argumento en substancia es fundado en las palabras de aquel texto que, hablando de la *succession* por muerte del ultimo possedor, dice que pertenece *ad solos, & ad omnes qui ex illâ lineâ sunt ex qua iste fuit*; de donde parece que se infieren dos cosas; la una, es que, llamando la *linea* en que estaba el ultimo possedor; que en nuestro caso fue el Rey D. Henrique, muestra que no se considera otra sino una sola del Rey D. Manuel que fue cabeza della en todos sus hijos, y que en esta se hallava el Rey Philippe, como los demás pretendientes, sin diferencia de mejora. La otra, que si toda via queremos que cada un hijo de D. Manuel hiciesse una *linea* diversa, el texto no llama a la *succession* sino los que fueren de la *linea* del ultimo possedor, y como el Rey D. Henrique (hijo del dicho D. Manuel) fue ultimo possedor,

posseedor, y no dexó *linea* por no dexar descendientes, no ay persona que el derecho llame, y assi la Sen. D. Catalina, pues, por hija de otro hijo de D. Manuel, dice que es de otra *linea*, no tiene que hacer por esta via en la succession. Responde confacilidad la alegacion citada; *ex Molin. d. lib. 3. c. 6. n. 35.* que aquel texto habla en el caso en que al maiorazgo, feudo, o cosa semejante se oppone persona que es de la misma *linea* en que estava el ultimo posseedor; y otra persona de *linea* diversa; y entonces dispone que pertenece al dela misma *linea*; v. g. El Rey D. Manuel tuvo por hijos al Infante D. Henrique; Infante D. Duarte, y otros, cada uno hiço su *linea*; vino el Reyno a D. Henrique, y suppongamos que por su muerte vino a algun hijo suyo, si este tuviera descendientes succederian unos a otros no solo los descendientes a ascendientes, sino tambien transversal, o colateralmente, en qualquiera grado, aunque acóteciera que uno de la otra *linea* de D. Duarte estuviera en grado mas proximo con el ultimo posseedor; porque la succession que entró en una *linea* no Saldrá della mientras ella durare; (esto es lo que dice el texto) pero no aviendo quedado persona de la tal *linea*, de D. Henrique,

Henrique, es claro que se acabó, y que la sucesion deve venir a alguna persona; entonces se recurre al tronco mas proximo, que fue el Rey *D. Manuel*, del qual salieron las *lineas* que ay; y hallandose que la de su hijo *D. Duarte* es la mejor, porque el precedia a sus hermanos; no ay duda que se le desiere la sucesion; conforme a loque ya diximos segun todo derecho, al qual no encuentra, antes favorece el texto citado; que desta manera, no prueba la primera ilacion contraria, porque las palabras: *Ad solos, & ad omnes qui ex illâ lineâ sunt, ex quâ iste fuit*; quieren decir, que por muerte de aquel Rey (que supponemos) descendiente de *D. Henrique*, el qual descendiente no dexó hijos, venga el Reyno a otro de su misma linea, a saber descendiente tambien de *D. Henrique*. Ni ayuda la 2^a, porque, si se acabó aquella *linea* de *D. Henrique*, de fuerza devemos recorrer a otra, sin que el texto lo niegue, ni podia negarlo sin notable absurdo; pues sería negar esta sucesion a todas las personas del mundo.

34. Quarto titulo fue la disposicion de las cortes de Lamego en tiempo del primer Rey de Portugal, en las quales se dió la forma de suceder

der el en Reyno que se instituya, como confieſſa
Caramuel in *Philip. lib. 5. diſp. 4. q. 1. art. 1. n. 24.*
Y mas largamente *lib. 2. q. 1. art. 4.* En ellas ſe
ordenó, que la hija del Rey que uieſſe devenir
a ſucceder en la corona caſaria con Portuguez,
porque no venieſſe el Reyno a eſtrangero, y ſi
caſaſſe con principe eſtrangero no fueſſe Rey-
na, porque nunca querian el Rey, y ſus pue-
blos que la corona fueſſe fuera de Portugueſes.
Dice aſi el cap. 7. *Si Rex Portugallia non habue-
rit maſculum, & habuerit filiam, iſta erit Regina
poſtquam Rex fuerit mortuus, de iſto modo. Non
accipiet virum niſi de Portugal, nobilis; & talis
non vocabitur Rex, niſi poſtquam habuerit de Re-
gina filium varonem, & quando fuerit in congrega-
tione maritus Regina, ibit in manu mancà, & mari-
tus non ponet in capite coronam Regni. Proſigue el
cap. 8. Sit iſta Lex in ſempiternum, quod prima fi-
lia Regis accipiat maritum de Portugalle, ut non
veniat Regnum ad eſtraneos; & ſi caſaverit cum
Principe eſtraneo non ſit Regina, quia nunquam vo-
lumus noſtrum Regnum ire for de Portugalenſibus,
qui nos ſuà fortitudine Reges fecerunt, ſine adjuto-
rio alieno per ſuam fortitudinem, & cum ſanguine
ſuo. Dona Iſabel primera hija del Rey D.*
O Manuel

Mannuel se casó con el Emperador Carlos 5. Principe extranjero de Portugal, como es notorio; luego no tenia derecho para succeder en el Reyno segun esta Ley, ni consecutivamente lo tenia su hijo D. Philippe. Está en estas Leyes tan expressa la exclusion de Principe extranjero, que quando no uviera mas, bastava para que no se hablara mas una palabra por parte del rey de Castilla; y así dice bien el citado Anonymo in Appendice de jure succed. in Regn. Portug. d. co-
rollar. 4. que, *Si Caramuel alicujus numeri author esset, gratulandum nobis foret, quod comitia Lame-censia probaret, quorum decretis externi Principes à succeſsione remouentur.*

Pero como el spirito del Castellano es de arguir siempre, sin reparar en los medios, en la respuesta de que vamos tratando, lib. 5. cap. 3. n. 30. dice: *Esta ley no milita contra nuestro derecho, por que no habla con la Emperatriz D. Isabel; no era esta serenissima Senora hija de Rey que no tenia varon. Casose con el invictissimo Cesar D. Carlos an. de 1526. y este ano vivian sus hermanos &c. luego, supuesto que tenia cinco hermanos varones no hablava della la Ley que decia: Si Rex Portugallie non habuerit masculum, &c.* Esta consideracion es
contra

contra la mente de la Ley como diremos mas abaxo; y aunque essa respuesta nos faltara, queda confundido, advirtiendo que, quando mucho, dava salida a aquellas palabras del cap. 7. ibi: *Si Rex Portugallie non habuerit masculum, &c.* Pero no dá satisfacion al cap. 8. que se sigue; en el qual los Legisladores, preveniendo todo esto, decretaron absolutamente: *Sit ista Lex in sempiternum, quod prima filia Regis accipiat maritum de Portugalle.* Siempre, y en todo caso ordenaron que la primera hija del rey casasse con Portuguez, *ut non veniat regnum ad estraneos*, porque aconteciendo que (por muerte de los hermanos o otra causa) le llegue el derecho de succeder, no venga el reyno a extranjero; este peligro quiso la Ley prevenir, y esta explicacion de Caramuel quiso la Ley atajar.

Mas el no cessa de instar por otro medio; Esta Senora (dice) *accepit virum de Portugal*; se casó con persona noble de Sangre Real, y Portuguesa; porque se casó con D. Carlos de Austria, y Portugal descendiente de D. Duarte I. Rey de Portugal como refieren todas las historias; prosigue llamando a Philippe I. padre de Carlos, Philippe de Austria, y Portugal; y a su aguelo, Maximiliano de

Austria, y Portugal; devió hallar en la libreria del Principe de Ligne (que tanto alaba) algunos escritores que dan tal appellido aquellos Principes; pudiera hacernos favor de comunicarlos, y si no diremos que por su gusto baptiza con nombres nuevos los que son muertos há docientos años.

Esfuerça la instancia desta manera: *Quieren los Portugueses que aquellas palabras: vir, aut nobilis de Portugal, signifiquen lugar de nacimiento; y exposiciones semejantes dan a los Flamencos y Alemanes ocasiones de decir que los Senores Espanoles no saben la lengua Latina. Ahora recobrarán el credito por la elegancia conque el interpreta en Latin. recuperare por, conquistar, como hemos visto n.21. Prosigue: Nobilis Toletanus, se llama el cavallero que nació en Toledo; pero, nobilis de Toletus, el que fuere de la familia de los Toledos; aun que ayá nacido en otra parte: que la particula, de, en rigor no significa possession, sino derivacion. Poco antes en el mismo cap.3. n.29. avia dicho del Latin de aquellas Leyes: Es el estilo mui conforme al tiempo, y ocasion, antiguo, y militar; no ay que examinar si es Ciceroniano. Y ahora lo examina en rigor, pues sepa que en rigor la particula,*
de,

de, de su naturaleza de nota causa proxima, e inmediata, l. 1. §. *fin.* ff. *de incend ; ruin ; & naufr ; Mantic. de coniect. ult. vol. lib. 11. tit. 12. n. 17. Tiraq. cess. caus. limit. 20 ; n. 31. versic ; nam & dictio, de ;* y significa inmediata materia de la qual se hace, o sale alguna cosa, como si se dice, *de progenie filii.* Ex Bald. *cons 336, queritur utrum lib. 3. Aug. Barboj. de dict ; dict. 76. n. 8 ;* adonde n. 3 nota que esta diction, *de*, no significa causa remota, sino segun la materia de que se habla, y quando consta que assi lo quiso el disponente.

Continua : que, *de*, no significa sino derivacion ; Y se pone a todos los sobrenombres de la nobleza para distinguir las familias ; decimos, *Maria de Medicis*, no, *Maria Medicorum* : que cosas arrastra tan remotas ! Si quiere pruebas de Gramatica Latina, no contento con el derecho alegado, vea Ambrosio Calepin. *in dict ; de*, que en lo que toca al sentido no hace la diferencia de genitivo a ablativo con, *de* ; en esta materia ; antes dice : *de eodem genere, id est, ejusdem generis* ; y deste modo usó Ciceron 4. *Tusc. afflictio* (inquit,) *desperatio*, & *si qua sunt de genere eodem* ; los sobrenombres de las familias acertaron a introducirse de aquella manera, y en muchos.

chos uvo particular raçon que fuera prolixidad demostrar aquy.

Replica: Si no se puede llamar D. Philippe de Portugal, por no aver nacido en Portugal, tan poco se podrá llamar D. Philippe de Austria, pues es cierto que no nació en Austria. No es buena comparacion de la Sangre de Austria heredada siempre por linea varonil, de que el Rey Catholico es cabeza, con la Sangre de Portugal participada por una aguela tan remota, de que no heredó cosa alguna; mas puede llamarse como quisiere; el punto es, que nunca así se llamó; ni, aunque se llamara, le hacia esto ser natural de Portugal, como requiere la ley; cuya mente devemos mirar; que (dice el Jurisconsulto *in l. scire leges 17. ff. de legib.*) saber Leyes, no es pegar a sus palabras, sino conformar con su entendimiento; pues la Ley es puesta a las cosas, y no a las palabras; *l. 2. C. com. de legat*; y por esto pecca contra la Ley el que obra contra la voluntad de la Ley, aunque no contra sus palabras. *L. contra legem 29. ff. de legib: l. non dubium, C. eodem.* Qual es la raçon de nuestra Ley? ella la declara *d. cap 8.* diciendo. Sea esta Ley para siempre, que la primera hija del Rey tome marido de Portugal, para

para que no venga el Reyno a estrangeros, y si casara con Principe estrangero, no sea Reyna, porque nunca queremos que nuestro Reyno vaya fuera de los Portugueses, que nos hicieron Reyes con su esfuerço, sin ayuda agena, por su valor, y con su sangre. Esta raçõ milita en el caso presente, en que no solo vino a heredar un Principe estrangero, mas tambien unia este Reyno a otras coronas, somettiendolo a gobierno de Castellanos; luego la Ley se há de complir en el; conforme a la regla de la l. illud 32. ff. ad leg. Aquil. cum vulgar. Y lo que la Ley prohibe directè, no se puede hacer indirectè; d. d. per 1^a ibi in l. seius 27. ff. ad Leg. falcid. Cardin. Tuse. verbo, prohibitio Concl. 900. per tot maximè ad nostrum casum, n. 5. & 7. Lo que tiene aun mas fuerça siendo constituido por utilidad publica del Reyno, ad l. jus publicum 38. ff. de pact; la qual utilidad consiste en que el natural trata los vassallos con amor, y gobierna el reyno con noticia, lo que faltando en el estrangero, es causa de confusion, y total ruina, admitte ad te alienigenam, & subvertet te in turbine, & abalienabit te à viis propriis; ecclesiast. 11. por effo es grande amenaça delos reynos en la sagrada escriptura darlos Dios a otra gente; Eccles.

clef. 10. Regnum à gente in gentem transferetur; e Hyerem. tren. c.5. se duele: Hereditas nostra versa est ad alienos, domus nostra ad extraneos; e Isayas cap. 10. Regionem vestram coram vobis alieni devorant. Por esto en el Deuteronomio cap.17. se manda: Constitues regem quem Dominus Deus elegerit de medio fratrum tuorum; non poteris alterius gentis hominem regem facere qui non sit frater tuus. Y a este exemplo en el Concilio Toletano 6. Fue prohibido que no se elegiesse en Hespana rey extranjero; como refiere Molina, lib. 1. de primog. c.2. n.11, alegando las l. 1. y 2. del fuero juzgo por las quales en tiempo de los Godos se prohibió lo mismo; y en el del rey D. Pel. yo se hiço Ley que las hembras que uviessen de suceder en la Corona casassen con natural del reyno; Illa, magnatorum Gothorum providentia, de nobilioribus Gothis accipiat virum de quo regalis posteritas conservetur. Refierela Molin. in Annot. ad fin. lib. de maior. n.3. a estos exemplos fue establecida nuestra Ley, exprimiendo que la hija del rey que casasse con Principe extranjero perdiessse el derecho de succeder; casó con extranjero D. Isabel hija del rey D. Manuel; por ella entró el rey de Castilla a fuerça de armas en Portugal;

Portugal; y despues a cá con bien lastimosa experiencia conocemos *quæ incolis nota dispendia intulerunt hætenus peregrina regimina*, como dice el tx' in cap. fundamenta §. dignè de elect. in 6.

Acrescia Caramuel d. cap. 3. n. 32. quando los Senores Portugueses bisieren Semejantes discursos, tienen obligacion de darnos licencia para reir tales ponderaciones; como pueden los Portugueses negarle la licencia que Dios, y naturaleza le dieron en su genio para hacer quanto quisiere *quod natura dedit, nemo negare potest*. Albricias puede dar, porque le asseguro que tiene mas licencias de las que piensa.

Sigue su porfia n. 33. diciendo que quando D. Beatrix hija de Rey de Portugal D. Fernando casó con D. Iuan 1. Rey de Castilla, moviendose entonces la misma dificultad, se declaró en cortes que era heredera legitima, porque bastava que el Castellano fuesse visnieto del Rey de Portugal D. Alfonso 4. no sabemos de tal declaracion; mas, si la uviera, *Est rogare ducum species violenta jubendi*; era Rey D. Fernando, claro está que no podian los vassallos negarle la succession para su hija; pero no sê si se acuerda Caramuel de como lo executaron muerto el Rey; si

se satisfase de lo que entonces se hiço, ya lo tiene; el Rey D. *Iuan* 4. lo executa oy puntualmente, como el Rey D. *Juan* 1. lo executó entonces.

Recorre n. 34. al exemplo del Imperio, adonde ay Ley que priva devoz passiva al que no fuere Aleman; y con todo n. 35. recita que *Federico* 2. no fue juzgado incapaz, aunque nacido en Sicilia, porque su padre *Henrico* 6, avia sido Aleman; así *Carlos* 5. y *Fernando* 1. a quel nacido en Gante de Flandes, este en Medina de Castilla, hijos de *Philippe* 1. nacido en Bruxas, pero nietos del Emperador *Maximiliano* 1. que era Aleman por sangre, y nacimiento. El mismo se responde por nuestra parte; eran aquellos Principes por padres, y aguelos, Alemanes, siendolo el padre, tambien lo es el hijo; si *Carlos* 5. fuera hijo de Portuguez, o, alo menos, el padre de su padre uviera sido Portuguez; pudieramos llamarle Portuguez, como llamariamos Portuguez al Principe D. *Miguel* hijo de nuestro rey D. *Manuel*, aunque nació en Castilla; pero decir que *Carlos* 5. fue Portuguez, porque una visaguela (de ocho visaguelos que tuvo) fue Portuguesa, es cosa mui disparatada; y si fue Portuguez, como le juzgaron los Electores por Aleman?

Aleman? o, si era Aleman, como era Portuguez? desta manera no ay hombre en el mundo que no sea natural de todas las provincias juntamente, pues parece quasi imposible que dexe de tener algun ascendiente, aunque remoto, en todas; y la ley de Portugal jamas tendria lugar, maiormente hablando de Principes, que, casando siempre con otros estrangeros, se podrán assi llamar naturales de todas las naciones.

Insisten. 37. que la Ley referida de D. Pelayo mandava que *la Infanta que avia de succeder en la corona de nobilioribus Gottis accipiat virum*; y bien sabemos que los que se llamaban Godos no avian nacido en la elada Gocia, sino en la templada Espana. Assi es; porque los de Espana eran Godos verdaderamente nacidos de padres Godos que con sus reyes se passaron a Hespana, y continuaron siempre en la misma forma; como tambien son verdaderos Portugueses los que habitan oy las Indias Orientales tan remotas de Portugal, aunque sus ascendientes salieron de Portugal ha tantos años. Mas que comparacion tiene esto con nuestro caso, en que un principe totalmente estrangero, reconoce una sola visaguela Portuguesa? de mas desto aquella Ley ciertamente

habla de los Godos nacidos en Hespana; por que es claro que no manda que se vaya buscar uno a la Gocia; por esso es fuerza que la entendamos dellos; la nuestra que habla de Portuguez, de Portuguez en rigor deve ser entendida.

Concluye n.38. que *Leyes ay civiles, y Ecclesiasticas que mandan que beneficios, y dignidades publicas no se den a eñtranos; y por eñtrano solo entienden al que no desciende de aquel reyno; muchos lugares citè en la pag. 423. de mi Filipe (yo la lei, y no hallo qui aya citado alguno para esto, para lo contrario si) pudiera anadir muchos que he ido observando poco apoco (y nos holgaramos de verlos) pero es ilustre uno que se halla cap. bonæ 2. versic. intelleximus de post. prælat; cuyas palabras merecen que se pongan aquy; non poteramus (dicen) salvâ conscientia eidem Ecclesiæ in aliâ personâ nisi quæ de regno Hungariæ originem duceret congruè providere, nec vellemus ei præficere alienam: no admittent peregrinos; eñtranos, ni alienigenas; Hungaros solos son los que pueden ser promovidos a semejantes dignidades, y entienden por Hungaros no los que an nacido en Hungria, sino los que de regno Hungariæ originem ducerent; los que descienden de antecessores*

res que fueron naturales del reyno. La alegacion Portuguesa de donde saca todo, le mostro aquel texto *illatione* 4. n. 63. y le dió tralladadas las palabras ; y porque ella no le respondió porque antes lo truxo por nuestra parte) piensa que no tiene respuesta, y le llama texto *ilustre* ; pero es tan *ilustre*, que no es texto ; porque adonde algunos codices tienen : *In aliâ personâ nisi quæ de regno Hungaria originem duceret* ; tienen otros, y son la maior parte, *In aliâ personâ quæ de regno Hungaria originem duceret* ; sin la palabra, *nisi*, como advierte la glosa marginal ; que viene a ser todo lo contrario ; y teniendo el texto varias letras,, y entendimientos no puede ser alegado como texto ; *probat Ias. in lect. l. admonend. n. 67. & 68. ff. de jurejur.* Y quando pudiera ser alegado, era en nuestro favor ; porque en las antiguas, y mejores copilaciones no está la palabra, *nisi* ; como testifica la misma glosa, ibi : *In quibusdam vulgaribus hic inseritur dictio, nisi, quæ nec in antiquis, nec in veteri copilatione habetur.* Y assi dice : *Non poteramus salvâ conscienciâ eidem Ecclesiæ in aliâ personâ quæ de Regno Hungaria originem duceret congruè providere* ; que no podia en consciencia proveer en aquella iglesia

persona que truxesse origen de Hungria; porque era necesario ser nacida en el mismo reyno. Y aunque confessaramos a *Caramuel* las palabras que quiere, tenían facil respuesta; diciendo, que o en Hungria no avia prohibicion tan particular como en nuestro Reyno, porque el tx' no habla della, y aun assi no se atrevia el Papa proveer sino en persona que tuviesse origen Hungara; o, si la avia, se entendia solamente mientras se hallassen naturales habiles, y capaces de las dignidades; como dice *Caramuel d. disp. 8. q. 4. art. 2. n. 48.* desta capacidad de persona natural declara el summo Pontifice que no tiene noticia bastante; ibi: *Quia verò non plenam de personis illius regni notitiam habebamus, ideoque non poteramus salvâ conscientia, &c.* Estava la iglesia vaca con grandes controversias de que trata el texto, fue menester proveerla, mas por satisfacer ala consciencia buscó persona que por lo menos tuviesse origen de Hungria; porque en ningun caso queria proveer totalmente estrangero; ibi: *Nec vellemus ei praeferre alienam;* no militava esto en Portugal en que un natural dignissimo concurría con un estrangero reprovado por la Ley. Finalmente en la misma Ley de Portugal vemos

vemos que excluye totalmente del derecho, o
esperança de succeder la hija de rey que no se
casare con Portuguez nacido de padres Portu-
gueses, y dentro de Portugal, sin admittir otra
fuerte qual quiera de Sangre Portuguesa; prue-
base de la raçon que dá en el cap. 8. *ut non veniat
regnum ad estraneos*, y otra vez, *quia nunquam vo-
lumus nostrum regnum ire for de Portugallensibus*.
Por ventura quando dixo que no queria que el
reyno fuesse a estrágero, entendió del marido de
la princesa? no, porque esse aunque fuesse Por-
tuguez, no era Rey, ni tendria el nombre de rey
hasta tener della hijo varon; como dispone el
cap 7. y aun despues de tenerlo: *Maritus Regina*
(nunca le llama Rey) *ibit in manu mancâ* (hoc est
sinistrâ) *et non ponet in capite coronam Regni*, en-
tendió, pues, por estrangero el hijo de la propria
Reyna nacido de padre estrangero, en el qual
hijo vió la Ley que podia mas el padre para ha-
cerlo estrangero, que la madre para hacerlo
Portuguez; conforme al derecho que dice que
la muger es principio, y fin de su familia; y passa
de la familia de sus padres, a la del marido; pues,
si vemos que la Ley juzgó por estrangero el hijo
de su propria reyna Portuguesa; no siendo hijo
de

de padre Portuguez, como se podrá decir que no juzgó por estrangero a un bisnieto de una Infanta que ni fue reyna?

En quasi toda Europa, y particularmente en Castilla está prohibido dar dignidades, o officios publicos a estrangero. Pregunto a *Juan Caramuel*, si un Inglez, o un Francez, que tuvo una vilàguela Castellana, fuere, a Castilla pedir un officio, daransele sin mui special dispensacion? si responde que no, juzga contra si, si responde que si, es su maior discredito, pues toda Europa platíca lo contrario.

En confirmacion de estos titulos que llamaron la Señora D. *Catalina* a la succession, hallo un exemplo en la misma Corona de Portugal por muerte del rey D. *Juan 2.* Eran sus primos hermanos, y parientes mas proximos D. *Manuel* Duque de Beja, y el Emperador *Maximiliano*, a quel hijo del Infante D. *Fernando*; este de la Emperatriz D. *Leonor*, hermano, y hermana del rey D. *Alphonso 5.* padre de D. *Juan*. Sabemos que *Maximiliano* Emperador adspirava al reyno, y nos lo cuenta el Autor que ultimamente escribió la vida de D. *Juan 2.* refiriendo la diligencia que este rey hizo con el Emperador so-
bre

bre esto en favor de D. Jorge su hijo ilegítimo y segun el derecho que los Philippistas quieren, pues que los pretendientes eran entrambos varones, e iguales en grado, no aviendo representacion, ni derecho de agnacion, o mejor linea, y no prejudicando a Maximiliano, la dicha Ley que excluye extranjero, ni devia ser prefendo (como diximos n.) por ser de maior edad; porque nació en el año de 1459, como escribe Elias Reusnero in genealogico, y los mas historiadores; y D. Manuel en el año de 1469, Segun Marisdial. 4. cap. 19. Damian de Goes, y todos los Portugueses; y con todo succedió D. Manuel; sin duda fue por alguno de los titulos alegados; por representacion no, porque siendo primos del ultimo poseedor estavan ya fuera del grado a que ella se concede; mas tuvo fuerza el ser D. Manuel agnado por hijo de varon; quando Maximiliano era cognado por hijo de hembra; y por la misma raçon el estar D. Manuel en mejor linea; a que se juntava ser Maximiliano hijo de D. Leonor que casando con el Emperador Federico 3. Principe extranjero; avia, por la Ley de Lamego, perdido el derecho de succeder, y assi el hijo no podia pretender por su medio.

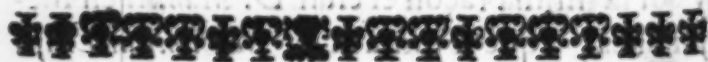
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Con todo lo qual queda mostrado quan sin fundamento es el quarto titulo que *Caramuel* propone; pues la Sen. *D. Catalina* precedió al Rey *D. Philippe* no solo por el derecho de Representacion; sino tambien por el de Agnacion, y mejor linea; y por ser natural del Reyno, teniendo de su parte tantos titulos juntos; quando bastava uno separado.



PARTE





PARTE V.

Convence el quinto titulo que propone

Iuan Caramuel, pagina 72.

con estas palabras.

Es verdadero Rey de Portugal Don Philippe el Grande por ser legitimo, y absoluto Senor de toda Espana, contra Don Juan Duque de Berganza, que usurpó la corona, y funda su derecho en la declaracion, y acclamacion del vulgo amotinado.

*Trata de probarlo en todo el libro 6. y la
toca lib. 1. tit. De Philippe 3. y lib. 5.
cap. 4. 5. y 6.*

35. **C**onfusamente involve tres puntos;
1.º Que estando el Catholico Rey
D. Philippe en possession de Portu-

Q 2

gal,

gal, no podia el serenissimo Rey D. *Iuan* exclu-
irlo. 2º. Que no le dá justicia la declara-
cion, y acclamacion del pueblo. En 3º. lugar
censura algunos papeles que ha visto sobre esta
materia.

36. Quanto a lo primero, avemos visto
en la 4ª. el derecho que llamava a la Sen. D.
Catalina a la succession del Rey D. *Henrique*
su tyo, excluyendo al Rey de Castilla; con-
tra este derecho usurpó el Castellano la coro-
na por fuerza de armas guovernadas por el
Duque de Alva, sin querer venir al juicio a
que fuellamado, como todo confiesa Cara-
muel in *Philip. lib. 5. in Proem. §. 2. & disp.*
3. qº. 1. Art. 1. & qº. 2. Art. 4. & 5. dexó a
quella Princesa su accion a su hijo primoge-
nito el serenissimo Duque D. *Theodosio*, que
protestó por ella; y este a su primogenito el
serenissimo Duque D. *Iuan*, que hallando op-
portunidad se restituyó al reyno de que por
violencia estava despojado, usando del dere-
cho natural, derecho de las gentes, y dere-
cho civil que le concedió restituirse por fuer-
ça a aquello de que por fuerza estava privado;
lucro Reg. L. ut ruinoff. de just. & jure.

Sin que sea de impedimento auer estes principes jurado por Rey al de Castilla ; porque siendo el juramento (como es notorio) echo por tan grande violencia, no fue de momento alguno, *auth. Sacramenta puberum C. si adversus vend ; cap. cum contingat de jure iur. cap. quamvis de pact. in 6. Thom. Gramat. conf. 91. n. 4. Corneus conf. 11. col. 6. lib. 3. Gratius responsio 71. lib. 1. y quando, por seguir la opinion mas segura en consciencia digamos que del tal juramento nace alguna obligacion, (para con Dios, ut innuitur in cap. verum, & in cap. si vero de jure iur ; porque para con los hombres no ay alguna, como explica Santo Thomas y Caietano 2. 2. q. 89 artic. 7.) Essa se quita impetrandose absolucion, segun la opinion commun de qua Cov. in epit. de sponsali parte 2. cap. 3. § 5. n. 2. Seraphin. Senens. de privileg. juram privilegio 110. La qual absolucion se concede, y deve conceder con mucha facilidad quando el juramento contiene injusticia ; (como este) es doctrina commun, ut per Castrensis in L. si quis pro eo n. 6. ff. de fidejussor ; Ancharran. Conf. 375. Nata conf. 144. Crasset conf. 152. n. 11. & conf. 192.*

n. 11. porque el juramento no deve ser vinculo de iniquidad. *cap. animadvertendum 21. q. 2. rap.* & si *Christus de jurejur.* ni ayudar al dolo. *A cap. cum contingat eod. tit.* antes deve tener tres companeros, justicia, verdad, y juizio *d. cap. si Christus.* Lo que milita con particularidad en nuestro caso, en que estos Principes protestaron authenticamente que avian jurado por fuerza, la qual protestacion les conservó su derecho, *L. sed debitor §. 1. ff. quib. mod. pign. nel hypot. sola.* y declaró el animo que tenian de no consentir. *L. at si quis §. plerique ff. de religias, & sumpt. funer.* y el juramento no obliga, quando el consentimiento falta: *L. ult. C. non. numer. pater. cap. veniens; cap. Quinta ralla de jurejur.*

Ni otro si le obató prescripcion; 1º. porque esta no tiene lugar en los Reynos; como lo confiesa Caramuel in *Philip. lib. 2. q. 2. art. 3.* y en esta respuesta *lib. 2. cap. 1.* dando por raçon ser la prescripcion inducida por el derecho civil, y gobernarse los Reynos por el natural. Mejora da el Anonymo Lusitano in *fin. tract. de jur. succed. corollario 6. versic. secunda*, aquello cuyas partes no se pueden prescribir, no se puede prescribir todo, partes del reyno, como jurisdiccion;

cion; y otras regalías son imprescriptibles, *Uti laté Rexed. ad l. 1. ord. tit. 15. n. 36.* Luego todo el reyno no se puede prescribir. 2º. aunque uvi-
era prescripcion, deviera ser de cien años por lo
menos; *ex relatis a fachin. controvert. lib. 8. cap. 3. versic. quod attinet*, y me excusa de pro-
barlo Caramuel que lo confiesa *in Philip. lib. 3. q. 3. art. 2.* aqui saltaron muchos para cien años,
como es notorio; luego no uvo tiempo bas-
tante para prescribir. 3º. aunque uviere tiempo
mas largo, ninguno bastara teniendo el possee-
dor mala fee, *cap. vigilanti, cap. ult. de prescript.*
Confiesa Caramuel *in Philip. lib. 3. q. 3. art. 1.* y
en la respuesta lib. 3. cap. 2. Philippe 2. entró con
mala fee, porque sabia el derecho de la sen.
D. Catalina, y que lo avia contrastado con so-
bornos, y fuerza; la qual sciencia induse ma-
la fee; *cap. si virgo 34. q. 3. Bart. in L. Celsus*
m. 18. de usucap. Cov. in regula possessor mala fi-
dei §. 11. post. n. 3. y quando quiera decirse que
entendia tener justicia, no podrá negar que fue
citado para el pleito, como confiesa Caramuel
in Philip. lib. 5. in proem. §. 2. y que no quiso ve-
nir a juicio, como dice *d. lib. 5. disp. 3. q. 2. art. 4.*
et 5. y es cierto que por contestacion de la causa
se

se induce mala fee ; *L. nemo C. acquir posses ; L. sed & si lege s. si ante ff. petit. hered.* contra el contumaz se uvo por contestada ; y aun que no se uviera por tal ; bastara ser inquietado por la citacion, para no poder prescribir, puesto que despues possieisse sin demanda por largo tiempo ; *bonuix in l. i. C. prescript. longitempor ; Fachin. controu. lib. i. c. 60. versio probatur.* el qual vicio de mala fee passó alos successores, *L. vitia C. acquir. posses.* y assi no podian prescribir, a un en caso negado que tuviessen buena fee ; *Fachin. d. lib. i. cap. 66. per L. cum heres de divers. & tempor. prescrip. & L. nec usufructuarium C. de usu cap. pro herede. jura. l. ult. C. unde vi.* 4º. aun que el possedor fuera de buena fee, estava tan poderoso por mar, y tierra, y tenia el Reyno tan presidiado, que no podia el serenissimo duque de Braganca tratar de cobrar lo que le era devido ; y entonces entraban las reglas de derecho, que el tiempo de la prescripcion no curre contra el que está impedido ; *l. i. s. ult. C. de an. except.* porque la prescripcion fue indulida contra solos los descuidados, arg. *L. ut perfectius in princ. C. illo tit.* y si bien puede réplicar que esta regla procede aviendo

aviendo impedimento de derecho; pero no quando lo ay de facto, como el que aquy consideramos; segun la distincion de Bart. in L. *U Atulicinus* 35. ff. *servit. rustic.* se satisfaze respondiendo, que si esse impedimento de facto no tiene fuerza para impedir el curso de la prescripcion *ipso jure*, lo reduce a nada (como dice el mismo Bart. y todos los dd.) per via de restitucion por la clausula general; *Ut in l. senatus consulto* 16. de *offic. presid.* l. *item ei* 14. cum *seq.* l. *si quis Titio* 41. l. *si quis stipulatus*, l. *sed* *U si per pratorum* 26. in *princ.* *U in §. si feria* ff. *ex quib. caus. maior*; l. *ab hostibus* 6. C. *quib. non obijcitur long. temp. prescr.* cap. *prima actione* 16. q. 3. cap. *extranmissa de prescript.*

37. En lo 2º. aun que el Rey Catholico tuviera derecho a la succession de Portugal, es notorio que sus ministros, vendiendo la justicias, tiranizando los pueblos, y confundiendo el gobierno, sin que fuesse possible que su Magestad lo remediasse, pusieron este reyno glorioso en estado tan miserable que pudieran bien los vassallos, dexando el Principe debaxo cuyo poder eran destruidos, elegir un nuevo, que los regiesse como Dios manda; bolviendo al dere-

cho de las gentes, *de quo in l. ex hoc jure ff. de just. & jure*; concurriendo mas el averle quebrantado todos los privilegios, y capitulaciones que avia jurado quando entró en el reyno, con que el contrato condicional se resolvía de la parte de los sujetos, puesto que no tuviera las nulidades, e injusticias de que hablamos ya.

Pero la modestia obligó a que no usando desta facultad para excluir un tal Principe por camino semejante, sirviessen aquellas causas solamente de estímulo a los coraçones para restituir lo que se devia a su dueño; y así se engana *Caramuel* pensando que el serenissimo Rey de Portugal se funda en acclamacion de los pueblos; todo su fundamento es en el derecho hereditario que tenia; ni dice otra cosa el manifesto Portuguez n. 19. pues solo alega la acclamacion de los pueblos en testimonio del derecho que reconocieron; ibi *sobre el derecho que tenia* (el Serenissimo D. Juan) *alcanzó la declaracion del pueblo*; declaracion no hace de nuevo; solo declara lo que ya era; y aun que nos valieramos de acclamacion, no se seguia algun derecho para el Rey *Philippe 2*; como quiere *Caramuel en esta respuesta lib. 5. cap. 4.*

n.42; porque no tuvo acclamacion alguna; sino un reconocimiento de los pueblos forçados con exercitos, y sustentados con presidios; y la sentencia que alega de los gobernadores nombrados por el ultimo Rey D. Henrique fue verdaderamente ridicula; porque no sentenciaron todos como devian; y ellos que fueron en ella la pronunciaron en Ayamonte villa de Castilla fuera del territorio de Portugal, y así sin jurisdiccion; y finalmente oprimidos con el justo miedo de estar en poder de la misma patte. Servio solo la llamada sentencia de hacer entonoes patente el animo del Rey de Castilla, y ahora la in advertencia deste Escritor; pues mientras era citado para juizio recto, y sin sospecha no quiso parecer, diciendo que los Reyes no reconocian juezes, como argumenta, y concluye in Philip. lib.5. diff.3. q.2. art.4. & 5; y despues que tuvo los juezes echos sus prisioneros dice que son legitimos; y que la sentencia es mui juridica; cosa es esta en que devieran reparar mucho, porque no se puede decir sin discredito grande.

38. Lo 3.º y principal de que trata este libro 6. es de censurar, (como diximos) algunos papeles que salieron a luz sobre esta materia; en lo qual

124. *Caramuel convencido.*

hare poca demora, porque no soy obligado a responder a palabras, sino a razones; apuntaré solamente pocos lugares que este Escritor calumnía en aquellos papeles, para que de la razón dellos se vea la de los demas.

Es el primero que censura c. 1. el parabien que dió la ciudad de Lisboa al rey nuestro Señor empeçando la platica así: *Muito alto, E poderoso Rey prometido monarcha de outro novo Imperio. Burlase lengaraz del otro nuevo Imperio, o del otro nuestro Imperio,* (como el trasladó mal, aunque viene a ser lo mismo) y no halló otra cosa que reprobar. Mui usadas son alusiones en ocasiones semejantes; aqui se aludió a las profecias cuyo cumplimiento comenzamos a ver, y veremos perfectas, por mas que embidiosos rabien; confiesa el mismo algunas (porque no supo de todas) *in Philip. lib. 5. disp. 8. q. 4. art. 2. n. 52.* Y viene a negar un milagro autentico con escandalo notable; como ya diximos, 1. p. n. 5. *6. y 10.*

El 2º que muerde c. 2. es una carta que escribió Portugal a los Principes Christianos; habla contra ella mucho, pero viene a decir nada; por descargarse de las irreverencias que ally se refieren.

refieren echas a las censuras ecclesiasticas; no^s oppone por reconvencion, (a fuer de mugercilla que combate de palabras con otra) *No tuvimos Rey que estudiessse doze anos escomulgado; ni monarcha que menospreciando censuras Pontificias condenase a tenebrosas carceles su propria madre, porque no queria resignar el dominio; ni Principe que celebrase dos matrimonios juntos a pesar del Pontifice.* Parece que no sabe que quando nuestro Rey D. Sancho 1. estuvo escomulgado, lo estaban tambien el Rey D. Alfonso 9. de Leon; y el Rey D. Henrique 1. de Castilla por la misma causa, que era ser estos dos Reyes casados con D. Teresa, y D. Mafalda sus primas hijas del Portuguez, sin preceder dispensacion, es menester leer mas de historias para escrivir; y en ellas hallará tambien la incertidumbre que ay de la prision de la madre del Rey D. Alfonso Henriquez, que dá por cierta; y otro si verá que nuestro D. Alfonso 3. celebró aquel segundo matrimonio con D. Beatriz hija del Rey de Castilla D. Alfonso el sabio; y considere qual fue peor, si casarse el Portuguez y no querer dexarla por conveniencia y por amor; o darle

el Castellano la hija para un acto tan reprovado, como dice, pero baste que no será poderoso el exexemplo de *Caramuel* para que accusemos a Principes tan Catholicos como fueron siempre los de Leon, y Castilla.

En 3º. lugar *cap. 3.* se atreve a tratar de dos sermones que predicó a la Magestad del rey nuestro Senor. el reverendo Padre *Fr. Juan de San Bernardino*, cuyas grandes letras deviera venerar con admiracion, si no fueran tan superiores a su capacidad; con chistes indignos de hombre le llama, *Seraphico jurisconsulto*, sin mirar que le pueden llamar a el, *Jurisconsulto Bernardo*. Y mas en ocasion en que repite su celebre sylogismo sobre la representacion, tan acer tado, como suio; de que tratamos 4.º p. n. 30. Accusa las palabras sazonadas de aquel docto varon por indignas del pulpito, del qual y de la Theologia este accusador está tan ageno como muestran estas que pone al principio de aquel capitulo. *En la encarnacion es milagro que dos naturales se unan hypostaticamente, y en Portugal sin milagro ninguno neo unidas hypostaticamente naturales repugnantes.* Con este indecente modo de hablar en el tratado de su *Philippe* hace mil uniones

ones hypostaticas ; lo que viendo el erudito *Anonymo* otras veces citado *in fine translationis de jure succed. corol. 4. in fine* reprehendiendolo en otros puntos dice : *Quod ego stupori potius mentis, ut ejus fama consulam, tribuo, quam vitio voluntatis. Cui illud argumento sit, quod cum unam tantum agnoscant Theologi hypostaticam unionem in verbo incarnato, ille tertio quoque verbo in rebus humanis hypostaticas uniones inveniat, & tamen bonus vir, & videri, & dici Theologus amat.* Con mas raçon podemos estranár el excesso con que los predicadores Castellanos proceden en esta materia ; que obligó a que(entre otros)fuesse reprehendido dello en Madrid el Pe, *Augustin de Castro de la Campania de Iesus*, con mandato de que predicase mas spiritual, y menos Castellano. Réprueba finalmente el referir que hombres doctos, y universidades consultadas respondieron por la sen. D. *Catalina* ; deciendo buscar doctor que siguiesse la parcialidad del de *Berganca* es ir a los *Antipodas* ; si guieron la parcialidad de *Antonio* pocos ; la de *Catalina de Medices* alguno, la de *Berganca* nadie. Falto de memoria es el Padre, pues no se acuerda que en su *Philippe lib. 5. in proem. n. 10.* hiso un titulo assi ; *Apologia pro*

pro Catharina Ducissâ Braganca : y commiença : *Pro serenissimâ Infante Catharinâ scripserunt quam plurimi, sed tantummodo mihi noti sequentes.* Y luego nombra tres doctores ; sin ir a los Antipodas los hallamos en su libro ; o de los Antipodas es su libro, pues cierto parece cosa de otro mundo, y adviértese que en el mismo *proem. n. 12.* pone por titulo : *libri pro Cathloico Rege* ; y nombra solos quatro historiadores ; ninguno jurista ; segun lo qual podemos mejor decir que ninguno escribió por el rey *Philippe.*

En el *cap. 4.* habla de papeles que en lengua Flamenca se publicaron en Holanda. En uno nota que llama al serenissimo D. Iuan, *Rey en Portugal*, y no, *Rey de Portugal*, y arguye que rey de una provincia se llama el legitimo ; y rey en ella, el intruso ; y que esto quiso significar su Autor ; mas la diferencia que hace no tiene substancia ; es modo de hablar de cada uno ; la misma propiedad tienen entrambos ; quien nombra, *Rey*, simplemente, dice, legitimo ; el que no lo es, se llama, *tirano*, o se acrecienta palabra que lo demostre. y que lo dixera el Holandes, o otro con malicia, que importava ? lo mismo que importa lo que dice *Iuân Caramuel.*
Pro

Profigue contra el Autor de otro papel, accusandole que no sabe las historias, y, si es assi, bien pueden argumentar entrambos, dexemoslos en su disputa, pues que los puntos della no tocan a nuestro caso.

Passa en el cap. 5. aun libro *Anonymo* intitulado, *Portugallia, seu de Regis Portugallia Regnis, & opibus*. Si quiero apretar lo que sobre el discurre, se deshace en humo, y assi no hallo como absolverle, ni condenarle.

El cap. 6. censura un Panegirico publicado en Pariz, o, por mejor decir, quiere ostentar la erudicion de *Caramuel* en las lenguas Griega, y Hebraica, no encuentra nuestro derecho que las sepa, concedamosele en recompensa del Zelo con que en el n. 51. defiende nuestra Christiandad.

Examina en el cap. 8. un libro de Manuel de Moraes, segun dice, mas el examinador queda examinado, y reprovado miserablemente; porque aviendo Moraes trasladado con fidelidad unas palabras Castellanas del P. Mariana lib. 10 c. 13. dice el examinador: *estrané estas palabras, y reconociendo el lugar citado no le reconoci, porque Mariana dice, &c.* pone las palabras de Marianna

en Latin; y luego las traduce en Castellano; como quiere, acusando al examinado de que no las supo traducir; *Pensẽ* (dice) *que sabia latin el licenciado, pero, como veo, es graduado en la lengua vulgar, porque a saber quatro conjugaciones, no confundiera sentencias, y clausulas contrarias.* Y es el caso que el Moraes no hizo traducion alguna, sino que trasladó puntualmente las palabras de la misma traduccion que el mismo Mariana hizo de la historia que avia compuesto en latin, y ni esto le bastó para escapar de la lengua de *Caramuel*, son las palabras, hablando de Portugal: *La gente es mui desseosa de bonra, y mui valiente entre todas las de España, señalada en la templança del comer, y del vestido, dada a la piedad, y a los estudios de sabiduria, de toda humanidad y policia.* Y como la alegacion de derecho que se hizo por parte de la Sen. D. *Catalina*; (de donde *Caramuel* sacó todo el tezoro de susciencia, como ya mostramos) no le dixo que el Pe. *Marianna* avia compuesto la misma historia en Castellano, el no lo sabia, y acusa al otro en lo que no sabe, y siempre de dos es la una, o no sabia que aquel historiador se avia traducido a si mismo; y es demasiada ignorancia para quien

quien examina, y reprueba; o, si lo sabia, y reprobó sin verlo primero, es demasiada temeridad; que dirá ahora? yo demi digo, que si me cogieran tanto alas manos (como dicen) en semejante falta; tuviera verguença de mas tomar pluma en la mano.

Reservé para ultimo lagar la censura que *Caramuel* hizo a un papel mio, para trasladarla; tanta estimacion hago de que me aya censurado una tal persona; tomelo por la via que quisiere; glosarela para mas claridad; es en cap. 7. la que se sigue.

1.

Qui alium doces, te ipsum doce. D. Paul. ad Rom. 2.

2.

No lo agradezca a mi cordura, sino a mi olvido; que apenas me acordé que el avia escrito y ahora me acuerdo del Martial. lib. 3. Epigram. 7. Non

soci-

Examínase^r la censura que dió el dotor Sousa de Macedo al manifesto, que publicó Don Iosef de Pellicer.

Pareceme cuerdo este Autor Portuguez: no quiere examinar de veras la causa que demostró mi Filippe ano de 1639; y el de 1641 confirmó a gudamente D. Iosef,

S 2

se

scribit, cuius carmina nemini legit. Pero le respondo por no parecer soberbia el no hacerlo.

3.

No lo sé, porque no los conosco; a el sí, y le tengo por curioso, mas por suelto de lengua.

4.

El aplauso del que yo censuré fue mandarlo recoger el Rey Catholico, porque des-acreditava mas su causa.

5.

En el Papel presente se vé bien quien prevalece.

6.

Quando lo leyó devió estar con humor alegre;

Señor que es de la casa de Fellicer, y cronista de su Majestad; persona que en Florida edad empecó a ser maior que sus emulos. 3. Soy goza de aplausos, y alabanzas que solicitan treinta y tantos libros que a inpresso. 4. Tratamos este punto de veras, y riendo Sousa que seriamente no puede prevalecer contra demonstraciones tan claras, 5. Empieça a repetir para gracioso, y responder de burlas. 6. Embaráçase en examinar los titulos de Don Josef, y hace gran agravio a la Republica mordiendo con diente audax titulos heredados, y adquiridos. 7. Aquellos son testimonio de la sangre; estos de la virtud;

alegre, pues así le pareció; lo que allá es en observación de las reglas de escribir en este género, que este examinador ignora. Lea a Quintiliano institution. Orator. li. 5. cap. 13. *De refutatione* (inquit) *nonnunquam quedam bene continentur; vel tanquam levia, vel tanquam ad causam nihil pertinentia, quod multis etiam locis facit Cicero.* Y mas abajo. *Nonnunquam elevande invidia gratia que asperius dicta sunt eluduntur, ut à Cicerone Triarius: nam cum Scavri columnas per urbem plaustris vectas dixit: ego porro* (inquit) *qui*

nas

y no viera monarchia bien fundada, si faltasse la virtud, y nobleza. ⁸ *Pudieramos tambien reirnos de los Suyos, por ser titulos que nacen de la prodigalidad.* ⁹ *De un Rey intruso.* ¹⁰ *Pero como es nuestro intento tratar esta causa muy de veras, el escribir entremeses se puede dexar para otras personas que con mas desabogo puedan salir de estos empenos.* ¹¹ *Algunos Autores cita,* ¹² *Pero todos los guia, y todos los remata el Bocalino; persona que, segun nos la pinta Don Antonio de Fuertes en el fin de sus conclusiones, no merece la honra que le hace Sousa.* ¹³ *Pero dexando a parte cali-*

S 3

dades

nas, elitellis eas appor-
vi. Y mas a nuestro
proposito lib. 6. cap. 5.
de altercatione: Neque
enim refutanda tantum
que à contrario dicuntur,
sed contemnenda, elevan-
da, ridenda sunt; nec us-
quam plus loci reperit ur-
banitas. Deste stylo usó
Iusto Lipsio adversus
Dialogistam, y el mis-
mo S. Augustin. contra
Pelag. & Don.

7. Vea bien que an-
tes admiro su misterio;
tanto como el del ave
fenix.

8. Es tanto así que
por su falta cayó la mo-
narchia Hespanõla.

9. Deve llamarle
Prodigalidad, porque
no son vendidos como
hasta ahora.

dades, y caracteres perso-
nales, que no tocan ala
causa publica que se dis-
puta; soy de parecer que
no necessita de respuesta
Autor que todo su dere-
cho, y justicia le funda
en burlas, 14. T le re-
mata en militares armas.
Digo lo, porque, despues
de avernos entretenido
con lo mordaz de su agu-
desa, y con lo Satyrico
de sus conceptos, cierra su
discurso, diciendo: E-
sto, Señor, se me offre-
ce ahora en la materia
ausente de mis libros,
valiendome solamen-
te de algunas memo-
rias generales. Solo
el mandato de V. Ex-
celencia pudiera obli-
garme aparecer que
trato de mostrar la jus-

10. Sus

10. Sus libros, y este papel muestran la verdad.

11. Menos podré yo salir dellos, pues no soy Castellano.

12. Muchos, y todos Castellanos.

13. Claro es que no le parecerá bien, pues discute las traças Castellanas; pero toda Europa venera su talento y erudición.

14. Mas burlas, y risa hallará en el papel presente; pero con ocasión bastante; y vea si es culpa el ser risible; o el ser ridiculo.

15. Y tan ausente dellos, y de todas las ciencias, que estoy ahora en presencia de los libros de su reverenda Paternidad.

16. Ni yo lo digo; mire bien que no digo sino, Sue-

len

stification de cosa tan notoria; y quando necesitara della, suelen en los pleitos de los Reyes servir de papel los campos; de tinta la sangre; y de plumas las espadas; y engañase; porque en los derechos, de que está tan ausente; 15. No se halla que pleitos de Reyes se gan de resolver y de decidir con armas. 16. Tiranos son los que fundan su derecho en violencia. 17. Rebeldes los que fundan su justicia en espadas; y por el consiguiente, pues, (como nos lo confiesa Soussa) 18. Estas calidades.

len y esto nadie lo negará.

17. Luego tirano fue Philippe 2. que no quiso estar a juicio ; como nos cuenta el Autor in Philip. lib. 5. in proem. §. 2. & disp. 3. q. 2. art. 4. & 5. antes entró luego con violencia de armas ; como cuenta el mismo d. disp. 3. q. 1. art. 1. n. 9.

18. Que culpa tiene Sousa si quien le lee no entiende la Lengua Castellana?

19. Si su Rey determina fundar sus armas en derecho, y no tiene mas que el que demostró su Philippe, será buen consejo dexarlas.

20. Lo que tiene ya lo ha conseguido.

21. Nuestros aguelos la han avisado desto há muchos años.

lidades le convienen a la alteracion de Portugal, será fuerza decir, que es rebelion tiranica. El Rey nuestro Señor no funda en armas su derecho ; fino antes enderecho sus armas ; demostrole con evidencia mi Filippe¹⁹. Y consiguirale Castilla²⁰, ya mas avisada de que Portugales Portugal²¹.

Concluye



Concluyese por las mismas palabras del Autor convencido que el serenissimo Rey Don Juan 4. está legitimamente en possession de los Reynos de Portugal.

39 **I**ndex competens in hac difficultate qui ?
 Equidem ex jure nulli, atque ideo debuisset
 hac quaestio definiri per arbitros, si suspitione
 liberi reperirentur, sanè fuerat arbitrorum electio
 difficilis, & ab ijs neutiquam probanda qui sine ar-
 bitris jus suum valuissent obtinere, quid ergo faci-
 endum in re ambiguâ, tantique momenti? deficienti-
 bus iudicibus qui Petro dent latâ sententiâ quod
 suum est, potest talis Petrus consulere doctores juris,
 exponere causas sincerè, sine colore, aut furo, & eo-
 rum expectare sententiam; condemnatus subscribat,
 quòd si sententia intento faveat, & doctores decre-
 verint illas fortunas pertinere ad ipsissimum, sanè
 vigore istius sententiae non tenebuntur antago-
 nista restituere, poterunt enim alios similiter clarif-
 imos

1. *simos doctores consulere, ipsi autem licebit vel*
In Philip. clanculò, si fieri posset, vel publicè, ni maiora in-
lit. 5. disp. conuenientia emanent, suas sedulus fortunas usur-
 3. 7. 2. art. *patas, aut usurpandas tirannicè, legitimè recupera-*
 5. *re. 1. Pro serenissima Infante Catharina scripse-*
 2. *runt quamplurimi. 2. Ergo, &c.*
d. lib. 5. in
Pram.
 § 4. n. 10.

En Castellano viene a hacer este argumento. Para determinar esta materia dudosa, y de tanta importancia no avia jueses por derecho; ni devia consentir en arbitros quien pudiesse alcanzar lo suyo sin ellos. Lo que se devia hacer era, cada uno consultar doctores juristas; y si respondiessen contra el quietarse; mas si dixessen que tenia justicia (sin embargo que otros viessem votado por la parte contraria) le era licito recuperar por qualquiera camino lo que le estava usurpado.

Consultò la Sen. D. Catalina, muchos doctores juristas que escrivieron en su favor.

Luego pudo ella, y su nieto (que es lo mismo) recuperar por qualquiera camino, lo que, segun el voto dellos, le estava usurpado. es consecuencia legitima, que Caramuel propuso quando el Rey Catholico tenia la possession de Portugal; no la deve negar oy, pues el derecho no se muda con las personas.

Que



Que el Sereníssimo Rey Don Juan no solamente lo es legitimo de los Reynos, y Senorios de Portugal, mas tambien tiene derecho para conquistar los de Castilla.

40 **E**L poseedor deve ser condenado en los frutos desde el tiempo que estuvo en mala fee, *L. certum C. rei vindicat. L. bonae fidei §. in contrarium ff. acquir. rer. dom. §. 2. Inst. de offi. judic.* en nuestro caso lo confiesa el Autor convencido. *en la respuesta lib. 4. c. 2. n. 9.* ibi. Si el presente Philippe uviera usurpado, y tiranizado el Reyno, fuera fuerza que restituyese la corona usurpada; las rentas cobradas sin justicia, y los danos de que sus armas fueron causa. Que Philippe 2. entrase, y poseiessse el y sus successores con mala fee usurpando el Reyno, está probado en esta *Pe s. n. 36.* No tratando de las rentas que se han gastado en las despesas ordinarias del Reyno, llevó para Castilla mucho dinero

de tributos, y otras cosas ; ricas pieças de la casa Real ; gran numero de navios ; grande quantidad de artilleria, infinitos soldados , por cuya falta se perdieron en nuestras conquistas las plaças que es notorio ; y para satisfacion desto no basta el Reyno de Castilla, y lo mas que posse- en los Castellanos en Hespana, segun el miserable estado a que está reducido, y con las expensas que obliga a hacer con guerra injusta, se aumentará mas la deúda.

No hablo ahora en otras acciones mas antiguas.



Convictus est.



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PROSPEROVS ¹¹
PROCEEDINGS
IN IRELAND:

Being a Remonstrance, or exact Relation of the
most distressed estate of the Inhabitants of Galloway,
Arrommoore, and Balismoore, when that worthy Captaine
Captaine THOMAS ASHLEY, Captaine of the
Employment of *London* first arrived there; shew-
ing the most inhumane, unparaleld crueltie
of the Rebels to the Protestants, murder-
ring them in the open Streets.

As also, shewing the happie successe God hath
given him, in defeating the Rebels, by taking of
Castles from them, with many hundred head of
Cattell, for the reliefe of the poore distressed
PROTESTANTS.


As was certified to the Honorable Houses of Parliament
(the 15. of October 1642.) by three Certificates, under the
hands of divers of the Gentry and Clergie, inhabiting with-
in the said places (whose names are within mentioned) Pre-
sented as a meanes of his continuance for the further
defence of the aforesaid places, with all his suc-
cessfull proceedings since his first ar-
rivall to this present.

*All which good Services were thankfully accepted of both Houses
of Parliament, and desired to be Printed.*

L O N D O N :

Printed for John Hancocke, in Burchen-lane at the signe
of the Bible. October 19. 1642.

PROSPEROVS PROCEEDINGS IN IRELAND.

 Hereas since the 22. of October 1641. (at which time
 brake forth in *Ireland* that fearfull fire of a gene-
 rall Rebellion long blowne by the Priests, Fryers
 and Jesuites, these great Incendiaries of Christen-
 dome) there hath been divers barbarous and inhumane cru-
 elties, by robbing, burning, pillaging, stripping, torturing,
 wounding, and massacring exercised upon the poore *English*,
 and distressed Protestants of the greatest part of this King-
 dome, and in none more, then in the Counties of *Mayo* and
Galloway (within the Province of *Connaught*) amongst many
 witnesses that one at *Shrule* (which unmatched Massacre
 was committed Feb. 13. 1641.) wherein without respect of
 dayes (it being upon the Lords day, which might have put
 them in minde of better things) the bloody executioners ha-
 ving undertaken the safe conduct of a great number of poore
 distressed *English* to *Galloway*, contrary to the rights both of
 hospitalitie and honestie, fell upon them, no age, no sexe, no
 profession finding the least favour with them, but promiscu-
 ously they slaughtered, or dangerously wounded, most of the
 men and women, old and young, Church-men, and Lay-men,
 and therein such a barbarous manner, that the Sicilian Even-
 song, and the Parisian Massacre (though formerly much spo-
 ken of) will be silenced, when this shall come in place; this

though coming short of them, in the number of those that suffered, yet far exceeding them in the cruell manner of their sufferings; from which Massacre, as also from divers other parts of those Counties, many with their wives and children (who had formerly been able in a plentifull manner to entertaine others) like Sheepe escaped out of the jaws of the Wolfe, came starved, strip, and naked for succour to the Towne of *Galloway*, where such as were able to serve his Majestie, were entertained by Captain *Anthony Willoughby* the Governour of the Fort, and by him ever since accordingly in a good manner maintained; the remander repairing to the Towne of *Galloway*, where for the time they received a faire outside of courtesie, in a devillish policie to draw them to assigne to a Declaration of their humane and courteous entertainment amongst them, whereby the State might divert from these parts the supplies of men and munition intended for their reliefe; which was no sooner assigned (but as Masters of what they desired) they presently changed their countenances unto them, they denyed them the benefit of their Markets, they inhibited them (by an Instrumēt in writing affixed upon their Church-dore) going into the Church upon paine of life and death they durst not appeare abroad to buy necessities, they were enforced for their safety to keep their houses, not daring to be seene abroad; the usuall salutations they had, were *English-Dogges*, and *English-Rogues*; they were kept in those perpetual fearts, that when they went to bed over-night, they knew not where to finde their heads in the morning; they were disarmed of those poore weapons they had for their defence, in the assumption of the proceeding of the State (as the Major himselfe avouched under his owne hand) against the *Irish* in *Dublin*, *Corke*, and *Tough Hall*, where the *English* Protestants had for safetie disarmed the Recusant *Irish*: therefore the Recusant *Irish* for

for the same reason would disarme the *English* Protestants; and (to make full expressions of their bloody purposes to the *English* Nation and Religion) they did entertain into the Towne, and out of the ruder parts of the Countrey of *Erconnaught*, great number of the sons of *Beliall*, barbarous inhumane Kernes 'men who were never acquainted with civilitie or humanitie, who were borne to do slaughter and execution) onely to rob, pillage, and spoil, strip, and murder the poore *English* Protestants, which they did under the Towne walls, and in the open streets in the day time, and in the sight and presence of the best of the Townsmen, who oftentimes did not onely animate them thereunto, but accompanied them in the doing thereof; All which they did, and much more, and that in such a bloodie and inhumane manner, that no Historie, ancient or modern, can exceed; few equall the same for crueltie. And to adde further unto it, because *Hammans* implacable rage against the Nation of the Jews, could receive no satisfaction so long as poore *Mordecai* sate at the Kings gate, so long as his Majesties Fort stood as an offence to their eyes, therefore finding their wicked plots for the surprisall thereof to fail them, they shut up the Town gates leading to the Fort, they took away the benefit of commerce with them, they made stay of what provision we in the Fort had in the Town, they kept within the walls divers of the Fort Souldiers imployed thither for necessities; they denied us Wine for the Communion at Easter, though earnestly desired, they treacherously possessed themselves of a tall Ship of *London*, lying then in the Harbour (whereof *Robert Clark* was Master) for no other reason but because it was a defence to the Fort, they cruelly murdered his men, they carried his Ordinance into the Towne to batter the Fort, they raised Mounts in the Town to annoy the Fort, they shot many shot at the Kings Pinace then being in the River, because as-

istant to the Fort, their whole resolution was to surprize us or so famish us, and knowing our scarcitie both of victuals and Ammunition, to drive us to the greater straights, as they blocked us up in the Harbour, whereby we might not be relieved by water, so upon their own charges they drew severall Companies out of the Countrey to besiege us by Land, which they did for divers weeks, they advancing the King of *Spaines* Colours, in their Camps, as the Towne did a Flag of defiance upon their Gates; Into which straights having drawn us of the Fort, they were so confident of us, as if we had been already in their net, it being their daily glory and report, that the Fort was at their pleasures, and they could have it when they pleased. And the truth is, if our gracious God had not put extraordinarie wisdom and strength into our provident Captain for the defence thereof, it could not in probabilitie have held out so long.

But it pleased God in his good time (when humane means began to fail us) to speake much comfort to our distressed souls, by sending Captain *Tho. Ashley* with one of his Majesties ships (called the *Employment*) into this Harbour, with a good proportion of victuall and Ammunition, where by on a sudden the streame turned: The Fort was relieved, the Rebels were daunted, the poore *English* were revived, the Towne made meanes for pacification, the Camp was dissolved, their hopes were frustrated, the Sea became ours, we were Masters of the Harbour, and we will ever with thankfulness to God remember the happie deliverie which upon a *May* morning we received by him, whose first coming to us was so auspicious, and whose stay with us hath been so prevalent to the heartning of the Subject, and terrour of the Rebels, that our humble request is, he of whom we have had such plentiful experience, who hath brought such comfort to us, such fear to the Rebels, who understandeth the Nation,

Nation, and knoweth the Rocks and Creeks of the Harbour (which to a stranger may be dangerous) who hath alreadie since his coming possesst himself of two of their ships (which brought great Ordnance, Corn, and Ammunition to the Town from forraigne parts) that he may be continued amongst us as a second to the Fort for the preservation of us from those miseries which this ill-affected people (notwithstanding their pretended Pacification) upon the first advantage offered them (except seasonably prevented) are likely to bring upon us. Which our humble request, with this our knowledge and true remonstrance we do in all humilitie present under our hands.

Richard Tuam.

Thomas Reyten, Dean of Tuam.

Michael Smith Archbishop of

Clonsfert.

The Gilbert Archdeacon of Tuam.

John Springham Collegii Regis

Vicarius.

William Harrison.

David Roberts.

The Bishop.

Godfrey Daniel.

Hugh Duffervill.

Anthony Willoughby.

Richard Hall.

The Martin Lieuten.

William Rouse.

Daniel Banbury.

John Knowles.

Alexander Moore.

John Fisher.

A Certificate from *Baltimore*, 10. Sept. 1642.

We whose names are here under written, in acknowledgement of our thankfulness, do hereby certifie, That Captain *The. Ashley* hath twice come in unto this Port of *Baltimore*, with his ship, and severall wayes relieved us, and in particular hath formerly helped us with two small Gunnes and powder, and drove away the enemy from us; and now furnished our poore with bread, and very nobly sent his Company on Land, and put the Rebels to the rout which was in Garrison within Musket shot of us; and divers times with the assistance of Captain *Willoughby* (of his Majesties Fort of

of Gallaway,) hath taken from the Rebels sometimes 200, sometimes 300, and sometimes 500, head of cattell, for the relief of the poore Protestants in and about the Fort aforesaid; having burnt seven or eight hundred houses of the Rebels, to the value of six thousand pound *per annum*; and never left shooting at the Town, till they hung out the white Flag for parley; and took five hundred Tonne of Wheat from them, and gave it to the poore Protestants; and left six Peices of Ordnance in the Fort for their protection, and burnt, and sunk, and spoyled nine sail of ships of the Rebel part that came from fortaigne parts in the time of his being here; where people could have no water without prejudice of life, being none neare the Town. Then five Springs came out of a Rock where never was knowd any before. He took one ship from the Town wall: All which we certifie for truth, as witnesse our hands, 10. Sept. 1642.

Tho. Newman. John Blyshman. Charles White.

The 29. July 1642. Captain *Tho. Ashley* Captain of the *Employment*, now imployed for his Majesties service, in and about the Fort of the Town of *Gallaway*, the day and yeer aforesaid, the Castle of Arrowmoore neer *Gallaway* being then besieged by my Lord *Claremorris*, and Captain *Admiral Burse*, and divers other great men: And their Souldiers being three Companies with their three severall Colours, The said Captain sent his Skiffe and long Boat, with a great piece, and very well mann'd with Muskettiers, which drove away the Rebels, and relieved the said Castle, wherein were upwards of thirty *English* souls, which were all in great distresse. Witnesse some of our hands that dwell in the said Castle. 4. Sept. 1642.

William King.

Humphrey King.

Tho. Hawkesworth.

John Marley.

William Tong.

F I N I S.



4. The doores of Protestant Churches were every where set wide open.

5. Christians went hand in hand, conferring freely, and edifying one another.

6. It was King James his godly Precept to his Princely Sonne: Teach your people by your example. P. 24. And such was his practice in his owne Royall Person, giving light by his Christian life to all his Subjects.

7. Whereas many feared an alteration of Religion, the Gospell set first footing in the Church of England, which as by his Majesty while hee lived, so by his Royall Posterity wa'king in his steppes, wee trust shall be continued to the end of the world: wherein his Highnesse also delivered his sound judgement, and constant resolution in his M^{od}. on Revel. 20. p. 31. Art. 8. That in the latter time (when the Church is delivered from the thralldome of Anti-christ) without any more generall mutations, the world shall still remaine to the Consummation, and end of the same.

8. By Gods mercy men planted Vine yards, and ate the fruites thereof, built houses, and dwelt in them, and increased in wealth.

9. It was admirable to consider the generall Resolution of all English people, and the conjunction of their hearts and affections, both of high and low, towards their Royall Sovereign.

10. Such was the Unity betwene England and Scotland, that not onely the externall warres were then like to cease for ever betwene these two Nations, but one uniforme Religion was also sought to combine them in perfect love and unity, that neither the Church of Scotland should be jealous of the English Church, as inclining to somethings to Popery, nor the English Subject the other, as affecting a popular parity: but as loving sisters, and fellow Tribes should hold one Worship of God, and goe up as Ierusalem together.

11. He caused Religion to be without mixture or tulle-
 tion as his Majestic most godly professeth in his Medi-
 tation upon the fiftenth of the first of *Chronicles*, in the ap-
 plication. Is there not now (saith King *James*) a sincere
 profession of the Truth amongst us in this Isle oppugned by
 the Nations about, haters of the Holy Word, and doe we
 not also as *Israel*, professe one onely God ruled by his pure
 Word onely? on the other part, are they not as *Phi-
 listines*, adorners of Legions of Gods, and ruled by the foo-
 lish traditions of men? And againe in his Meditations up-
 pon the twentieth of the *Revelations* 3. P. *ver.* 1. hee
 saith: wee must leave to fall from the Truth revealed, and
 professed by us, that wee may be free from the like pu-
 nishment, &c.

12. His zeale for Reformation of things amisse was
 great, who in the Preface to the Reader in his Princely
 Treatise, *Queene Elizabeth* then living, thus writeth. I
 doubt nothing, yea (saith he) in her name, I dare pro-
 mise, by the by past experience of her happy Government,
 that no good Subject shall be more carefull to enforme her
 of any corruptions stollen into her State, than shes shall be
 zealous for the discharge of her conscience and honour, to
 see the same purged, and restored to the ancient integrity;
 and further during her time, becomes mee least of any to
 meddle in it, &c. And that which his Majesty promised in
 behalfe of her, God directed his wisdom to performe by
 himselfe: the dealing whereto before, as it pleased his
 Princely modesty to call meddling, so afterwards the whole
 managing thereof of right appertained to him.

13. The Church of England was not then forced to hang
 their Instruments of prayse upon the willowes, with the Li-
 nelires in *Babylon*, and by the intermission of some chan-
 ges onely to finde an occasion of thanksgiving unto God;
 but had indeed: as full, and as great cause, and as much li-
 berty as ever to sound out prayles: England might then say
 with the Prophet *David*, *then was our mouth filled with*
laughter

laughter, and our tongue with joy. *Psalm. 126. 2.*

14. The Courts of Justice were not interrupted, but the Laws, and seats of Judgement were open for every man, and to revive the hearts of his Subjects, he thus writeth to his noble son, *p. 98. 99.* presse to draw all your Lawes, and processes to be as short, and as plain as you can, &c. w^{ch} way not to heare the complaints of the oppressed, *but see Rex. 41.*

15. King *James* was no stranger, but of the Royall blood of the Kings of this Land, a Prince of the same lineage, of the same blood, of the same English blood Royall; yea of the same Religion: who, as he was no forrainger, so gave he countell to his Princely heire, *p. 53.* To heare ordinary Counsels, and Justice seates in every Kingdomes, of their own Countrymen.

16. Whereas the peace of this Church had beene hindered by the opposition of strange, and new Doctrines, he restored the peace of the Church, and brought it to one uniforme Doctrine, whose Princely advice is, *Pag. 10. 1. 1.* That if any do urge to embrace their own fantasies in the place of Gods Word, &c. acknowledg them for vaine men &c. and gravely and with authority redact them into order againe.

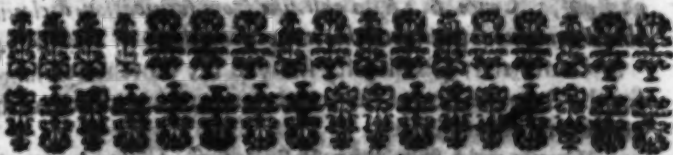
17. He had externall peace with other Nations: who to wound them with kindnesse, who was a Prince that n^{ed} all other Princes *Pag. 56. part. 1.* As brethren, honestly, kindly; and strove with every one of them in curtesie and thankfulnessse, and when any performed to offend this Nation, he was a courageous defendor, who revenged and freed his Subjects from all forraigne injuries, done unto them, *Pag. 55. part. 1.*

18. There was domestrick Peace and plenty, for which we have cause to blisse God at this day, for thereby we obtained godly education of our Parents, who were then children, whereas without it we might have become distracted from our parents, by the inquiry of unquiet times, which was then in danger to have befallen this Land.

19. He was a loving Prince; who as the naturall Father, and

and kinde Master of his Kingdomes, thought his greatest contentment to stand in his Subjects prosperity, and his greatest surety in having their hearts, *ps. 135. Bar. in.*

20. Such was his zeale to the house of God, that in his meditation in *2. Chron. 25. part 2. p. 43.* hee holdeth that the chiefe vertue which should be in a Christian Prince; namely seruey, and constant zeale, to promote the glory of God that hath honoured him, and concerning the Ministers of the Church he saith, *Pag. 20.* love no man more than a good Pastor, reverence, and obey them as the Heraldsof the most high God.



**Dr. Willets Observations on KING
James his respect to the two Tables
of the Law of GOD.**

That Princely Ecclesiast King James, declared *Baron.*
Pag. 89. that a King should be *custos utriusq. tabulae*:
The guardian of both the 2. Tables of the Law, which his
Majesty testified in every particular, in his Christian, and
judiciall treatises.

1. Concerning the first Commandement he professeth
himselfe to be an enemy to all Atheisme. *Basilic. p. 29.*

2. Concerning the second Commandement, hee condem-
neth adherers of legions of Gods, and such as are ruled by
the foolish traditions of men. *Baron.*

3. Concerning the third Commandement, he saith, be-
ware to offend your conscience with swearing or lying,
medit. in Chron. applicat. pag. 17.

4. Concerning the 4. Commandment: He saith alwayes let the Sabbath be kept holy, and no unlawfull pastime used. Page 53.

5. Command: These be King James his own words, honour your parents for the lengthning of your own dayes, as God in his law promiseth, Page 96.

6. Command: There are some horrible crimes (saith His Majesty to his Princely heire) that you are bound in conscience never to forgive (such as witchcraft, wilfull murder Page 31.

7. Command: He saith) God commanding by the mouth of Paul, 1 Corin. 6, 20, to abstaine from fornication, declaring that Fornicators shall not inherit the Kingdome of God, P. 74.

8. Command: His Majesty shewed his worthy resolution for the Reformation of the robberies, and oppression of the borderers, page 36.

9. Command: That Royall Ecclesiastes saith, beware to offend your conscience with use of swearing or lying, &c. lying commeth much of a vile use which banisheth shame, page, 17, 18.

10. Concerning the last Commandment: his Majesties Princely counsell is, abstaine from haunting before your marriage, the idle company of dames, which are nothing else, but *irritamenta libidinis*, page, 127.

Doctor

Dr. Willets Observations on KING
James his Counsell and advice to all his
Subjects: according to their particu-
lar callings and Estates.

THe Nobility may learne not to thrall by oppression the
meaner sort, that do dwell by them; nor to maintain
their servants, and dependants in wrong, *pag. 45.*

2. Merchants are taught not to buy the woorl wares, and
sell them at the dearest rates, *pag. 50.*

3. Iudges are admonished to take heed of bribery, advo-
cates to decline the long for enesse of suites for the enrich-
ing of themselves, with the spoyle of the whole Countrey,
Page 90.

4. Church governors to preserve Doctrine, and disci-
pline in purity according to Gods Word, *Page 98.*

5. Ministers and Preachers may receive information for
their Calling. 1. not to vary from their Text. 2. not to
meddle wth Matters of State, *Page 89.* and 3. that their
speech be not faired with Artifice, &c. but to eschew all
affected formes, *Page 107.* and 4. to use only Scripture for
interpretation of Scripture if wee would bee sure, and ne-
ver swerve from the analogie of Faith in expounding.

The Poscript.

THe Jewes returning from Captivtie did so wonder at their
strange deliverances, that they seemed to be as men that
dreamt.

dreame. As strange a worke may it please God to worke for the Church of England if he please at this time; And though our divisions be not yet turned into peace, yet have wee many yeares under our Gracious Sovereigne enjoyed both true Religion and Peace; and though there be now such great feares, and distempers in this Kingdome, under so godly, pious and Religious a Prince, who is even a pattern of true piety and love to all Princes of the World: yet let us not faint, oh let us pray to God that as his Royall Majesty after his Royall Father King *James*, was settled in Peace; so this Kingdome may againe be reduced to that flourishing Peace, wherein under our gracious King it hath hitherto stood as before under his Royall Father the Lord grant that the glory of his own name may be advanced, the Kings honour exalted, agreement between his Majestie and the Parliament concluded; the flourishing of the Church obtained; the peace of the Kingdome settled; and all divisions amongst us reconciled, *Amn.*

Printed at London for *Thomas Cotes*, 1643.

FINIS.



I have the honor to be your obedient servant, *Thomas Cotes*

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Exceeding Joyfull

NEWES

FROM

COVENTRY

Declaring the happy Successe of Col. *Hambden*,
Col. *Goodwyn*, and the Civisens of *Coventry*, against
Prince *Robert* and his forces, who besieged *Coventry*
on Friday last. With the number of them that
were slain, and the taking of Cap. *Johnson*
and many other prisoners,

Also the victorious Proceedings of the Earle of
Argile against the Earl of *Derbie*, who while the E.
of *Derby* besieged *Manchester* the second time, and was
from thence repulled, seized upon the Ile of *Man*,
the ancient Inheritance of the Earls of *Derby*,
and hath there placed many strong
Garrisons.

With exceeding good News from *Holland*, ex-
pressed in the fidelity of the States to the Parliament
of *England*, who made stay of four great Vessels
laden with men and Ammunition to assist
the King against the Parliament.

Printed for *Richard West*, October 19, 1642.

NEWSPAPERS

FROM

COVENTRY

Containing the happy Success of Col. Hawley,
of Coventry, and the Capture of the City of
Dorchester, and his former Victory at
Dorchester, with the names of the
Officers and Men who were
and many other particulars.



Of the Victory of the 1st of the Month of
the 1st of the Month of the 1st of the Month of
of Dorchester, and the Capture of the City of
from those reported (and upon the 1st of the
the 1st of the Month of the 1st of the Month of
and from those who were many more
Garrison.

With exceeding good News from Holland, ex-
pressed in the House of the States of the Parliament
of England, who made fifty of four great Vessels
laden with men and Ammunition to assist
the King against the Parliament.

Printed for Richard W. at the Sign of the Crown, in the City of London, 1642.



Exceeding Joyfull Newes from Worster.

Since Prince Robert had those most happy Defeats given to him at Worster and Ludlow, wherein the malignant party for a season something weakened, he hath since marched and lay with his forces within two miles of Burmegum, with a Resolution to make a second attempt upon the City of Coventry.

And upon Tuesday last he advanced his Forces, and upon Friday notwithstanding the violence of the weather, his Forces lay before the City, but according to the old Proverbe, *He that is fore-warned, is fore-armed.*

The Citizens of Coventry having intelligence of his determination, did so strengthen and prepared themselves for the coming, that his attempts will be frustrated.

For besides other provision which was abundant, and strong they had planted 26 pieces of Ordnance, with which they could play upon his forces which way soever he should assault them.

Upon Satterday according to his Resolution he made an attempt upon the City but he found opposition to be beyond expectation, and all his Assaults and Onsets were in vain and he not only was repulsed from his purpose, but with a great losse and much hurt done to his forces he was constrained to retreat.

For the Citisens of *Coventry* besides the help and assistance of the Inhabitants round about them were assisted with other power and Forces.

For Collonell *Hambden* and Collonell *Goodwyn*, and some other Troopes which lay near *Banbury* side came in, and so violently set upon the Cavaleirs, that with a great losse they gave of their attempt, their were very many of them slain, some taken prisoners.

The Number of them that were slain is
not

not certainly known, for they buried them in the place where they fell, and among many others one Captain *Johnson* was taken prisoner, a man very active in the promotion of this their cause.

The said Captain is now in the Goal at *Coventry*, and with the rest that were taken prisoners with him will be sent up to *London*, so soon as those places are secured from the Cavaleers.

The Earl of *Derby* hath lately made a second assault upon *Manchester*, but with as much discredit, and as small successe as his first was. For he was beaten back with great losse and hazard of himselfe, and although he escaped with life, yet that was also in great hazard, for he was shot in the shoulder from the Town, and with much difficulty he got away, while the Earl did busie himself in those tumultuous ways abroad, he little dreamed how his owne estate lay at stake at home, neither did hee conceive the least suspition of any forrein enemy, but delighting himself with the publique distractions, he neglected his owne estate.

For

For while he did molest the Countries
of *Chesster*, and *Lancaster*, the Earl of *Argile*
man full of conscience and valour with
ten thousand men did besiege the Ile of
Man, which is the Inheritance belonging to
the Earls of Derby, and the siege was nei-
ther tedious nor dangerous.

For he got the Iland almost without a-
ny opposition, and hath there placed in di-
vers places very strong Garrisons.

He hath expelled the Country of all
those whose integrity he doth suspect, and
whom he doth not find to be for the *King*
and *Parliament*.

He hath enriched himself with great
store of treasure, and other necessary pro-
vision for War, which the Earls Father, and
he that now is Earl had laid up there, this
Earl intending that if his purposes should
not take effect, that then he would fly into
the Iland, and with that provision that he
had sent thither, and was there treasured
up, and with the assistance of the Inhabi-
tants of the Iland, of whose faith and con-
fancie he seemed to be confident, to defend
and

and secure himself from any power that should pursue him, and that he was resolved there to stand upon his guard.

But this his design is frustrate, for he is not like to regain it again, by reason that the Earl of *Argile* hath placed such strong Forces there.

There were lately in *Holland*, by meanes of the Queen 4. great Vessels provided, rig'd and laden with great store of Ammunition and Arms.

But the States according to their formerly promised fidelity did make stay of the shipping, and all the rest of the provision, and caused the ships to be unladed, and have also taken such order, that if any Commanders whatsoever who are imployed in the service of the States, under the Command of the Prince of *Orange*, shall at any time come away, and leave their present service to assist the King against his Parliament, that they shall for ever be cashiered of their places, and be made incapable hereafter of the same office and place again.

And

And they did also by a Message sent to the House, intimate their good affection which they bear to the Parliament, and although there hath bin very many plots and designs both there, and also in divers other places set on foot to promote the cause of the disturbers of the peace and quiet of this Kingdome, yet that they hither have, and hereafter will, be vigilant to prevent all such attempts whatsoever, and that they will not admit as neer as possibly they can, that any plot or conspiracie whatsoever shall take effect in those Countreyes, that might any wayes seeme prejudiciall to the present Proceedings of the Parliament of *England*.

F I N I S

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TERRIBLE NEVVES

FROM

YORK:

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DECLARING

The barbarous Actions of the Cavaliers at
Yorke, in plundering the houses, seizing the goods, and
 imprisoning the persons of those Citizens that refuse
 to contribute money to maintaine a War against the
 Parliament, having already plundered above twenty Citizens
 houses, and imprisoned diverse of the Aldermen, for not con-
 tributing money to maintain the foresaid War. Also how they
 cruelly threaten to kill diverse godly and religious Ministers
 in the said City, if they will not preach as they
 would have then.

A L S O

The Earle of ESSEX his Instructions to the Counties
 of Derby, Northampton, Warwick, and diverse other
 Counties, to stand upon their guard, and raise the power of
 the Counties to withstand the Cavaliers, and prevent the
 like miseries and calamities in other parts of
 this Kingdom.

Printed for Th. Thompson. October 19. 1642.



TERRIBLE NEWES

FROM

YORKE:

Wherein is shewed the barbarous actions of the Cavaliers in plundering the houses of the Citizens of York, who refuse to contribute money towards the maintaining of a war against the Parliament.

Also the Lord Generall his Instructions to the Counties of Derby, Northampton, Warwick, and divers other Counties, for preventing the like miseries in other places.

He miseries of this Kingdom are almost growne to a height; the malignant Party now hath begun to plunder the City of Yorke, and have already plundered above twenty houses in the said City for

not contributing towards the designs
of the Cavaliers to maintaine a warre a-
gainst the Parliament: diverse Alder-
men that refused are committed, and one
Alderman that was intrusted by the Act
of Parliament for gathering up of mo-
ney for the Parliament, and hath a thou-
sand pound in his hands, hath but seven
houres given him to consider whether
he will deliver up the money, or be
plundered and imprisoned. Moreover
they threaten the best Ministers about
the City, that they will be the death of
them, unless they preach as they would
have them: they have carried Sir John
Bourchier to Yorke: the Lady Melton
being about to send her goods by water
towards Hull, had all her goods, money
and plate, to the value of a thousand
pound, taken by the souldiers as they
were putting into the Bark: they will
suffer none of any degree whatsoever
to depart the city without lending of
money. The chief Officers that beare
sway

In way in the City of York are Sir Francis
 Wortley, Sir Marmaduke Langdale, Sir
 John Kay, Mr Francis Nevill and others,
 the Earle of Cumberland stands for a cri-
 pper, they do what they please without
 his advice. There is a thousand Foot
 and three Troups of Horse marched to-
 wards Cawood where M. Hotham is,
 and Sir Thomas Glemham hath an in-
 tent to force him thence, so that if the
 other Regiments of Foot that the Par-
 liament hath appointed for the securing
 of that county come not to aid them,
 M. Hotham must of necessity retreat to
 Hull.

Certain Delinquents revenues are to
 be made stop of. Two pensions of the
 Duke of Richmond, one of 2100 l. per
 annum, another of 1400 l. per an. To the
 Lord Willoughby of Eresby, 1000 l. per
 an. To the Earl of Bristol, 2000 l. per an.
 To the Lord Grandison, 300 l. per an. &c.

The English Fleet lately lying be-
 fore Galloways, which is the strongest
 towne

towne they have, except Limbrick, and
 there laid siege to it: so the Lord of
 of Glenrikard came downe and confer-
 red with our Lord Forbes, and the Mer-
 chants of the towne: they strongly re-
 plied and said, that they were the Kings
 loyall subjects, and had not offended in
 the least thing, but that the souldiers in
 the Kings Fort had done them wrong:
 but had the King sealed to our Commis-
 sion, we should have found enough a-
 gainst them, that we might truly have
 made an onset upon the towne: wee
 were so neere the towne with our gar-
 rison, that we could heare them plainly
 call our Parliament rogues, Parliament-
 dogs, and Puritan-Dogs: so you may
 very well conceive what subjects they
 are. On the third and fourth day we
 re-fetcht aboard our souldiers, and the
 sixth day wee set saile from Gallaway to
 go to Limbrick, and on the ninth day
 we arrived in Limbrick river, and on
 the two and twentieth day we laid siege

to the Knights of the Elmes Castle, that
 is to say in English, the Knights of the
 valley; the which Castle we plaid upon
 two dayes and two nights with two
 Demi-Canons: so the second day we
 entred the Castle, slaying all we found
 alive: but when we came to burie them
 we found but eightene or twentie, the
 rest made an escape and got into the
 woods: there came a great army of the
 Irish within sight of the Castle, there
 marched out betwixt four and five hun-
 dred, and when they began to approach,
 the Irish men fled, and durst not stand:
 We tooke in this Castle a thousand bu-
 shels of Wheat, three or foure thousand
 vveight of Butter, besides Barley, Malt
 and lala Beefe: this Castle vve took on
 the three and tvventieth of September
 vvith the losse of five men, a Trouper
 and a Footman in the pursuit after the
 first landding, and three other after vve
 came under the Castle vvalls, vvvo com-
 mon souldiers, and the Master of Cap-
 taine Thompsons ship.

The

The Lord Generall hath sent instructi-
ons to the countiees of Derby, Warwick,
Northampton, & divers other countreys
in those parts to raise the power of the
Countyes, and stand upon their guard, &
secure themselves from the Cavaliers,
who plunder every place where they
come without distinction of persons:
for the Cavaliers endeavour to come to-
wards London, and plunder by the way,
hoping that the Lord Generall cannot
remove fast enough to prevent them,
but his Excellency hath sent ten Peeces
of Ordnance and two thousand men to
stop their passage at Coventry, that they
may not passe that way: the countiees of
Northampton and Warwick are already
in a warlike posture, and furnished to
oppose the Cavaliers.

F I N I S.

II
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15
A
IOVRNALL

OF

The most Memorable Passa-
ges in *IRELAND*.

Especially that Victorious Battell at
Munster, beginning the 25. of *August*
1642. and continued.

Wherein is related the Siege of *Ardmore* Castle,
Together with a true and perfect Description of
the famous Battell of *Liscarroll*.

Written by a worthy Gentleman, who was pre-
sent at both these Services.



LONDON,
Printed for T. S. October 19.
1642.

A

LOWE

OF

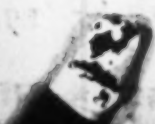
The most Memorable

as in



LONDON

Printed by T. S. ...





**Journall of the most memorable Passages
in Ireland, especially that victorious battell
at Munster, beginning the 26 of August,
1642. and continued.**



After the *Irish* had gathered together the greatest part of their Forces about *Killmallocke*, with Intention to passe the Mountaines into the County of *Corke*, and found they should receive opposition by our Army, which was drawne up to *Duneraile* and *Adallo*, with resolution to encounter them, if they once descended into the Plaines, they againe retreated towards *Limmericke*, and we about the 20. of *August*, Disbanded and went to our severall Garrisons, both with like intentions of gathering the Harvest of the Countrey. Sir *John Paulets*, and Sir *William Ogles* Regiments went to *Corke*, and *Kingale*, the old Regiment was Garrison'd about *Duneraile*, part of Sir *Charles Vasafor*, lay at *Mall*, the rest that went to *Toughall* were commanded to obey the Lords *Dungarvan*, and *Braghills*, who having procured a Culverine to be sent along with them, resolved, as soone as our men were refreshed after their March, to take in the Castle of *Ardmore*. The Fort is of its owne nature, strong and defensible, it was well manned with 100. able Souldiers besides the people of the Countrey, it had munition sufficient, so we expected not to gaine it, but after a long Siege. Notwithstanding it being a place of good consequence affording the Enemy meanes of getting the Harvest on that side in security, and blocking us up in *Piltowne* and *Toughall*, so that a man durst not appeare on the other part of the River, we resolved the taking of it, and upon Fryday, being the 26. of *August*, we marched from *Lisburne*, towards the Castle. Our Forces were about 400. all Muskets, besides 60. Horse, part of the two Lords Troopes,

Troopes, by the way we summoned the Castle of *Gloob Ballydonny* which promised to yeeld and receive our Garrison, if Mr. *Fitzgerald* of *Dromany* would permit; we were satisfied with the answer, Mr. *Fitzgerald* being yet our Friend; and the place being of no great importance, so that it was not thought convenient to lose time there, but Marched away and sate downe before *Ardmore*; The same day about three of the clocke in the afternoone we summoned it, but they not admitting of a Parley, we Quartered our selves about the Castle, expecting our Culverine which we sent downe by water; In the meane time our men possessed themselves of some out-houses belonging to the Castle, whereby we with more security might play upon the Enemies Spikes, and they in the evening fired the rest. All the beginning of the night they played from the Castle very hotly upon us, but neverthelesse we ran up and tooke the Church from them, so that now we were within Pitcoll shot of the Castle; this did much advantage us, for besides provision, whereof there was good quantity, the Church standing high beate into their Bawne, so that from hence they lost the use of it, and were forced to containe themselves within the Walls of the Castle. There was yet the Steeple of the Church, something dis-joynd from the body of it, yet remaining, which was well manned, Powder and Bullets they had sufficient, but wanted Guns, there being no more then two Muskets onely among forty men, the Church cut off all hope of supplies from them; so that we were confident to have it surrendred either for want of provision or Ammunition. Thus we spent that night; next morning there appeared about 100. Horse, and 300. Foote of the Enemy, and it was generally beleeved there was a more considerable number following; we received the Alarme with joy and courage, and leaving onely sufficient to continue the Siege, drew forth the rest of our men, resolving to encounter them; but as our men advanced, they retreated towards *Dungarvan*, our Horse could not follow by reason of a Glinne betwixt us and them, and our Foot would have beene too slow to overtake theirs. We returned therefore to our Quarters, where we received intelligence from *Mills*, that all the Enemies Forces were againe drawne into a Body, and upon their march towards *Duneraile*; whereupon we were commanded to be at an houres warning: this troubled us, onely because we feared we should raise the Siege, and now more then

ever

ever we wished for our great Artillery, which came about noone to us; And such diligence we used, that before three of the clock we drew it up within halfe Musket shot of the Castle, and there planted it, though they played upon us all the way both from the Castle and Steeple, which we so carefully avoyded by wooll-packes we carryed before us, that there was not one man shot in that Service.

We placed our peece to ruine one of the Flankers first, but when it was ready to play, the Castle desired a Parley, wherein they asked Quarter for goods and life, but that being denyed, they were content to submit themselves to the mercy of the Lords, who gave the Women and Children their cloathes, lives, and liberty to depart, the men we kept prisoners.

All this while the Steeple held out, nor would they yeeld untill they had conferred with their Captaine, after which they submitted to mercy.

In the Castle were found 114. able men, besides 183. Women and Children, 22. pound of Powder, and Bullets answerable; in the Steeple were onely 40. men, who had about 12. pound of Powder, and shot enough. The next day we hanged 117. The *English* Prisoners we freed, the rest we kept for exchange of such of ours as were with the Enemy.

Thus was this Castle delivered unto us after one dayes Siege onely, wherein we lost not a man: The next day we left a Guard of 40. men in the Castle, and marched away to our severall Garrisons, expecting further command from our Generall, which we received upon Wednesday, being the last of *August*.

Upon Thursday, the first of *September*, we Marched to *Mallo*, where we were advertised from *Lisecarroll*, that the Castle was straitly besieged, and that it was impossible, without reliefe, they should hold it more then three dayes: the messenger was rewarded and dispatched with answer they should expect us within foure and twenty houres; and that night we mounted our Artillery, two Sakers, two Minions, two Falconets upon their Carriages: and on Friday, the second of *September*, we came about eleven in the forenoone to *Boutinant*, our Rendezvous, being a Village about foure miles distant from *Mallo*, and as farre from the enemy; where, in regard the greatest part of the Army had beene wearied with the former daies March, we encamped that night.

Here:

Here we were now with the Lord *Inchequin* our Generals forces, full 1700. foote, and sixe troopes, out of which forty commanded horse were sent with Captaine *Bridges* to view their forces, but they returned without any perfect discovery.

About two in the afternoone their Artillery beganne to play against the Castle, which continued till night; it was determined therefore by a Councell of Warre, that we should the next morning shew our selves before the Castle, with resolution to adventure a battell rather then not to raise the siege, here they ordered that the Lord *Inchequin* should command the horse, Sir *Charles Vassor* the foote, and *Myne* his Lieutenant Colonell, should be Sergeant Major Generall for that service.

But because the ground where the enemy stood was extremely disadvantageous, they determined a full troope should March a good distance before our men, with orders, as the enemy advanced, to retreat; this we did to draw them from their Quarters, which we heard they had fortified.

Thus we spent the day, at night orders came we should refresh our selves with rest a while, and be ready to March the next morning before day.

The *Irish*, (who have still quicke intelligence of all our actions) resolve to use all diligence to take in the Castle first, after which they thought to set upon us in our owne Quarters, promising themselves a victory, which would secure the whole Province to them; and indeed it was not to be doubted but *Toughall*, *Corke*, and *Kingale*, in all which were not more then foure hundred Souldiers left, would have cut the throats of their Garrisons, and declared themselves for the Rebels, had it succeeded; herein for their mutuall encouragement, they bound themselves by oath, receiving the Sacrament upon it, not to quit the field without the victory.

The next morning about two houres before day, when we were in readinesse to March, we sent our forlorne hope before us, consisting of thirty commanded horse, led by Master *Sturges* a Gentleman of *Kingale*; the whole Army marched about halfe a mile distance after them according to our resolution the night before.

About break of day they discovered a troop of the enemies, which staied not the encounter, but fled to their maine body, we continued

med our March, and about halfe an houre after we came in sight of the Castle: the maine body of our horse was here commanded to, make a stand on a hill side a good *English* mile distant from it, the Lords, *Inbequin*, *Dungarvan*, *Kinalmeaky*, and *Brogbill*, Master *Francis Boyle*, Captaine *Jepson*, and *Bridges* went with the Lord *Inbequins* troope to our forlorne hope which stood upon a little rising ground in middle way betwixt us and the Castle of *Liscarrowell*, the whole Army of the *Irish* lay about a mile from them; which upon our first appearing was drawne out in perfect good order; and this was the first time we saw their whole strength, which was I beleeeve about sixethousand foote and three hundred horse.

The enemies horse beganne now to advance toward our forlorne troopes, who being now a little nearer the Castle, were unkindly saluted with a peale of shot from the place we came to relieve, whereby we first discovered we had lost the Castle.

Their horse which came on in good order, were all lin'd with Musqueteeres, so that our forlorne hope and the Lord *Inbequins* troope were commanded to retreat, which they performed with much bravery, by making frequent stands and facing about to expresse how little they feared them: the enemy plied them with continuall shot, and got ground of them, yet they kept a most perfect order in their retreat; the foure Lords *Inbequin*, *Dungarvan*, *Kinalmeaky*, and *Brogbill*, marching still in the reare, and in this height of gallantry, fell the valiant Gentleman, the Lord *Kinalmeaky*, his horse was brought off by his brother Master *Francis Boyle*, as his body had beene, had any life at all remained in him, but that they were forced to leave a prey to the enemy, and retreat to us, who stood all this time on the side of the hill.

But this could not stop the course of their good fortune, for they still pursued, their Musqueteeres running before to bushes and ditches, from whence, with security they played upon us, their body of horse following to second their Musquets, and their whole Army ready to relieve their horse upon all engagements: the order the enemy here used was excellent, and certainly they had that day Commanders of greater judgement then valour, otherwise both we and the whole Province had suffered.

All our horse was now forced to retreat toward our foote, but so slowly that their great Body of sixe thousand advanced faster then

then we went off; we retreated thus more then halfe a mile, till our foote came to us, out of which we drew sixty Musqueteers of Sir *John Brownes* company to beate off their Ambushes, they plaid hotly upon us at first, ours did the like; the Lord *Inchequin* standing by them on foote, giving directions till the Ambuscadoes fled, whereupon their whole Army retreated to the place where they first stood neare the Castle; in their retreat they lodged shot in divers places to play on us as we advanced, which were all beaten backe by Captaine *Saint-Leger*, Captaine *Torreson*, and Lieutenant *Downing*, who were commanded upon that service.

And now both sides beganne to prepare for battell, resolving that place should decide all doubts betwixt them; they divided their foote into three bodies, each consisting of near two thousand men, the right Wing was placed upon the top of a little rising ground neare a fortification they had made, which was well manned with store of shot, their left Wing stood neare the Castle within halfe Musquet shot of another worke wherein their Artillery was planted as a guard to it, betwixt these two a little behinde them stood their maine body, consisting most of pikes; thus were their foote ordered; the horse advanced all in one entire body, and made a stand neare their right Wing upon the brow of the hill.

Accordingly we divided our men into three parts, our battell which was composed of Pikes and Musquets, being about eight hundred, stood upon a little hill where our Artillery was planted almost opposite to their greatest body; our right wing led by Sir *Charles Vasseler*, wherein were about 600. all Musqueteers, stood ore against their left Wing, and just opposite to their right Wing we drew forth three hundred Musquets led by Captaine *Cooper* and *Hutton* Lieutenant to Serjeant *Major Appyard*; on the left hand of these we placed our horse to encounter theirs: thus were the two Armies ranged in Battalia, betwene which was a plaine flat valley interposed about twenty score in breadth.

You see upon what disadvantage we fought, they had advantage in number three to one; advantage in ground, besides five Forts and the Castle, to any of which upon a dyfaller, they might have retreated; the Sunne was for them too, onely God was for us, *Er si Deus nobiscum* (it was the word of one of the Co-

lours

hours we tooke) *quis contra nos* In this posture we stood about
 halfe an houre, in which time they made foureteene shot at our
 horse, but without any execution, ours plai'd as fast upon them,
 and not with much better successe, for onely one shot hit which
 slew five of them; our greater shot effecting so little, we resolved
 to charge them with our lesse, and our horse was appointed to give
 the first onset; the Lord *Inchequin* to charge the left hand seconded
 by Captaine *Jepson* troope, and Captaine *Bridges*, who had the
 Reare. The right hand the Lord *Dungarvan* was appointed to
 charge, seconded by his brother the Lord *Brogbill*, and *Oxenbridge*
 Lieutenant to the Lord *Barrimore* brought up the Reare; betweene
 the two Armies (as was before expressed) was a little meadow in-
 terposed about twenty score in breadth, at the upper end of which,
 neare the place where our horse must necessarily passe to the charge,
 stood their Huts well lined with Musqueteeres, which wee ima-
 gined (knowing they used not to lose any advantage) and sent
 downe sixty of the three hundred to cleare that passage, they dis-
 charged hotly one upon another at first, but in fine they left their
 Huts, and sought security behinde their Army. Lieutenant *Ox-*
enbridge was sent to pursue them, wherein he so far engaged his men,
 that had not all the troopes come to his reliefe, hee had beene cut
 off, the enemies whole troopes comming downe upon him. But
 when they saw us advance, they made a stand, and so received the
 charge: the Lord *Inchequins* troope had the Van, he himselfe
 performed it bravely and resolutely, but his troope (by what mis-
 fortune I know not) retreated, and in it disorderd the Lord
Dungarvans, and the Lord *Brogbills*, and all the troopes that fol-
 lowed. The Lord *Inchequin* charged *Oliver Stevenson* a Captaine
 of their horse, slew him, brought off his horse with a rich saddle,
 and was himselfe in great danger, had he not beene relieved by
 Captaine *Jepson* and *Bridges*, in which service *Jepson* was slightly
 wounded in the hand, and his hat cut. The Lord *Dungarvan*
 charged another of their Captaines, shot him with a Pittoll and
 wounded him, but so neare they were, that before he could reco-
 ver his other shot, he gave him such a stroke with his sword, that
 certainly his Lordship owes his life to the goodnes of his Armor,
 without which, out of doubt he had been slaine, he was farre enga-
 ged and still accompanied by his brother the Lord *Brogbill* who
 behaved himselfe very gallantly that day, and had beene taken,

had the enemyes pursued, the advantage they had of our disordered retreat, but our 300 Muskets, who that day did gallant service, plyed them so fast with shot, that they gave both him and the rest time to get off to rally their troopes, who were in such confusion, that it was absolutely impossible to order them so soone as the necessity of the service required; wee feared likewise lest our confused retreat should have discouraged our Foote; we resolved therefore to fall about onely, and to the charge againe, which was performed with courage, and good successe for the Rebels seeing us resolute, they stayed only the discharging of their first shot, and fled.

Their Foot supposing they should be unable to resist the fury of both Horse and Foot, who all this time had found our three hundred Musquets an equall, (if not an overmatch for them) would have accompanied their horse in their fight, could they have followed fast enough, but a great part of this body fell short, our Horse breaking in and doing much execution, one of their Ensignes, and the first that I saw fall, was slaine by the Lord Broghill, who shot him and brought off his Colours. While we were thus employed, Sir Charles Venouson with his 600. fell bravely upon their left wing, which stood to guard their Ordinance; the fight there was sharpe while it lasted, divers fell on their side, some of ours were wounded. Both their Artillery and small shot played thicke upon our men from the Fort, one of their Sakers they discharged at Sir Charles when he was within halfe Musket shot, but without doing execution. At length seeing our mens resolution, and that they were already deserted by their owne, that their Artillery wherein they did much confide, did not that service was expected, they quitted the Fort and left Sir Charles the Artillery, which had beene unserviceable to them.

The third body, which stood firme all this time, (and well it might, for it was out of Gunshot) seeing the rest fly, turned their backes and hasted to their best Fort, a Bogge, which was about halfe a mile from them; We pursued, and indeed the execution was bloody and cruell, no man gave Quarter, nor was it fit, considering their multitude. Our Horse was now beyond the furthest part of the Wood and Bogge where most of the Rebels lay, our
Foot.

Foot marched on in good order towards it, so that they were on all sides encompassed, and I beleve they thought themselves it was impossible they should any of them escape, and indeed I am confident no considerable number had come off from that dayes service, had not my Lord *Inchequin* unfortunately mistaken our owne men for enemies, and caused us to retreat almost a mile, before we discovered our errour, in which time they fled to another Bogge, where it was impossible to follow them, notwithstanding we pursued them two miles along the skirts of the Wood, but did no great execution.

Thus after a long and doubtfull fight, which continued full seven houres, we at last obtained a glorious Victory. These were not such as formerly we met, naked Rogues, but brave and gallant men, armed as well as our selves, nor did they want any thing but a good cause. Twice they made our Horse, whereon we most relyed, to retreat, once they disordered and almost routed us, and then God, as if he would manifest it was he alone in whom we ought to repose our trust, caused us in that disorder to vanquish those, from whom when we charged them in perfect order, we but newly had fled. There was slaine in this battell about 600. of the Rebels, on our side we lost but five beside the Lord *Kinsmealie*, about 30 were wounded, whereof divers dyed since, some of theirs were hurt, but the number is uncertaine.

We tooke from them three peeces of Artillery, whereof one was a brasse Demi-canon, of almost 7800 weight, the same of which had won more Castles then the valour of their whole Army, the other were Sakers, one Brasse, the other Iron; besides these we tooke two or three hundred Muskets, and so many Pikes they served us for firewood; Of powder we had three Barrels, and about 200. Bullets, all which were sent with the Artillery to *Corke*.

Fourteene of their colours we carried away with us, whereof five were taken by the Lord *Broghils* troope, besides that he tooke himselfe: The prisoners were few, because the execution was so bloody; notwithstanding some we have of good quality, as *Cc-lonell Butler*, whose valour was heretofore recommended by his Majesty to the King of *Ireland*, and indeed this day he shewed much gallantnesse, being the last man that stood of their whole Army; besides him we tooke Captaine *Butler*, *Thomas Burga's*, and their Commissary Generall.

In the Waggon, whereof thirty were taken, we found store of pillage, and some of good value: there were present at this fight almost all the Lords of *Munster*, viz. the Lord *Buche*, Lord *Admity*, Lord *Igerine*, Lord *Dunboine Bureb*, Lord *Briton Bureb*, Lord *Casteromell Buller*, Brother to the Lord *Ormond*, Sergeant major *Parcell*, Sergeant major *Henely*.

Thus you have the Relation of that Memorable Battell was fought at *Liscarroll* on Saturday the third of *September*, where, next God, nothing did contribute more to our Victory, then the necessity we had of fighting, advantages they had of us every way, only we were *Virtute pares, & necessitate superiores*.

FINIS.



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¹⁶
A VVonderfull
DELIVERANCE

OR

Gods abundant mercy in preserving from
the Cavaliers the towne of

DRAITON

In the County of HEREFORD.

Declaring how many Troopes of the Ca-
valiers came against the said Towne, with
an intent to have plundered it and put the in-
habitants to the Sword, Men, Women,
and Children.

Also manifesting how they were happily discove-
red by a scout of our Dragooners, who gave an alle-
sum to severall Troopes of Horse and Foot, which
where Quartered in the adjoining Villages, by whose
assistance the towne was preserved, and a won-
derfull victory obtained over the Cavaliers.

Being the true Coppie of a Letter sent from Mr. Tho:
Kittermaster of Hereford, to Mr. William
Knowles in Holborne, dated Octob. 14.
1643.

London, Printed by T.F. for I.H. Officer 20. 1643

DELIVERANCE

OR
God's abundant mercy in preserving from
the dangers the town of

DRATTON

In the County of Hereford.

Declaring how many Troopers of the Cavalry came against the said Town, with
as intent to have plundered it and cut the in-
habitants to the sword, Men, Women,
and Children.

Also manifesting how they were happily discov-
ered by a Scout of our Dragooners, who gave an al-
arm to several Troopers of Horse and Foot, which
where quartered in the adjoining Villages, whose
assistance the town was provided, and a won-
derful victory obtained over the Cavalry.

Being the true Copy of a Letter sent from Mr. Tho:
Kitchin, Master of Hereford, to Mr. William
Knowles in Holborne, dated Octob. 14.

1642.

London: Printed by T. F. for I. H. Ogleby at 1642.

*A true Relation of the Proceedings of
both A R M I E S*

*Declaring the hopefull successe of the Parliaments
Forces against the Cavaliers, and how Prince
Roberts Horse was kild under him.*

Worthy Sir, my best wishes salute
you, your Letter happily came
to my hands on Friday at night
where you desire a faire corre-
spondency, notwithstanding the
distance of place, as hath formerly passed be-
twixt us, imparting such newes and passages
to each other, as our knowledge and the
places where either of us abide, may furnish
us with, I assure you Sir, that the performance
of your part of Friendship requires the like
in me, for Newes, I should be loth to be num-
bered amongst those that write only upon
bare

bare imagination, to sweeten their own desires, though they often appeare improbable, but I presume upon my own knowledge, and my Eyes are the just and faithfull witnesses of what I write, and I shall doe nothing without their directions, therefore I shall write to you nothing but what I know for truth, our Country howsoever they seeme strongly for the other Party, yet in their hearts they are for the King and Parliament, however they have been abused in idle Pamphlets.

We have credible information, the King intended to advance towards you, but hath waved his resolution towards London, and divided his Army into two bodies.

One of which Divisions His Majesty himselfe leads, the other Part Prince Robert commandeth, who with a flying Army posts before him, and as I have heard a true relation plunders many Villages by the way, but our Commanders with undaunted resolutions, their Troopes being filld with courage, are resolved to follow them, and bravely to venture their lives in the maintenance of the true Protestant

Religion, the defence of the King, the Rights
and Priviledges of Parliament, against all ma-
lignant Parties, both Papists and Cavaliers,

All which Commanders with an unani-
mous consent doe most Christianlike declare
their firme resolves in the behalfe of their
King and Country.

And could they meet the Papists and bloud-
thirsty Cavaliers in one distinguishable Body,
they would then publish their true zeale to
Protestant Religion, their Loyalty to his Ma-
jesty, and their faithfull service to the Hono-
rable Houses of Parliament.

But howsoever they are resolved by Gods
assistance to follow both Armies, and to de-
fend all those that shall make resistance or en-
deavour to withstand the Cavaliers.

This may appeare by this ensuing relation,
Prince Robert with his Troopes did intend
to plunder *Drayton*, but our Commanders ha-
ving intelligence of his purpose, sent Forces
to intercept him, which was as followeth.

They having intelligence by a scout of
Draggoners, six Troopes of Horse, and a
thousand Foot were sent to intercept them.

23
And what whom held a dangerous skirmish,
for the space of an houre, yet being at that
onset over-pressed with odds upon Prince Ro-
berts party, which had not their courage been
answerable to their Cause and minds, in rights
behelt of King and Parliament, they alone had
not been lost but the Towne also, who like-
wise lent their aid and assistance, otherwise
they had been plundered and utterly rui-
ned.

But God, who still guards the fighters of
his battaines, did likewise to their Courage
add their victory.

For they with undanted resolution, (to
whose aide was brought two Troopes more of
Horic, with two hundred Dragooneers) as-
sailed them on the right wing of Prince Ro-
berts Army, which new reinforcing, they sup-
posing more supplies were ready for to backe
them) began by degrees to retreat, which our
party perceiving, with fiery resolution redoub-
led their former courage, and with joyfull ac-
clamations, in hopes of a hopefull victory,
which did so dismay the adverse party with
fear, that we got ground of them, and for-
ced them to present fight.

In which flight a worthy Gentleman, not
to be forgotten for his brave courage and ap-
proved valour Mr. *John Ramsey* Coronet, be-
haved himself so bravely, that hee deserves
to have our loves and future memory: for
he not onely dismounted Prince *Roberts* Co-
ronet, but farther brake into their ranks
slew a Lieutenant, and so bravely behaved
himself which gain'd him many followers
as envious of his fame to game themselves
like honour, in which flight Prince *ROBERTS*
Horse was shot under him, and hee
was forced to take a Troopers horse to save
him from their pursuit, and had not this a-
foresaid worthy Gentleman Mr. *John Ram-
sey* Coronet, received a dangerous wound
in the Thigh, hee questionlesse had tane
Prince *Robert* or fallen in the attempt, yet
howsoever this to his fame be it spoke, hee
brought the trophy of the other Coronet
which hee dismounted to his Colonell, who
so with love received him for his Service,
and gave him a Lieutenants place. And had
not the Evening prevented the pursuit of
Prince *ROBERTS* army, they had given them
a greater overthrow.

The

The number of the slain on the other side
as yet I cannot send you, but in my next Letter
I shall, believe no flying tales that the Ar-
my mutinies, they are but false rumours ray-
sed by some malignant Spirits, for believe it
their resolves are firmly knit, in the defence
of the King and Parliament to live and die.

So much newes and no more at this time
can I afford you, I beseech God to send us
peace and a speedy happy union betwixt the
King and Parliament, so I rest, hoping to
hear from you.

Yours to be commanded

T. Kittermaster.

Hereford, this 14.

of October, 1642.

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THE EARLE 17

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ESSEX

HIS

Loyaltie and love

TO HIS

KING and COUNTRY.

VVith his five Propositions propounded to his Armie, at his late Siege at
SHREWSBURY.

Wherein is apparantly manifested his
faith and love to God and his Country.



London Printed for G. K. 1642.

THE EARLE

ESSAY

Loyalty and love

KING and COUNTRY

With his late Propositions, pro-
banded to his Majesty, at his late presence
at Whitehall, the 11th of May, 1649.

Wherein is apparently manifested his
fidelity and loyalty to his Majesty and his Country.



London Printed for G. W. at the Swan, 1649.

*The Earle of Essex, his loyalty and
love to his King and Countrey, with his propositions
propounded to his Army, at his late siege at*

S H R E W S B U R Y.



In S^r Excellence the
Earle of Essex, still
endeavouring for
the good & welfare
of his King, and a
peace and fraternity
to and amongst his Subjects, having
had severall parties, and more debates
concerning our now conditionall e-
state, yet finding no love from thence
but meere opposition, and still thir-
sting more and more for the effusion
of blood, of the Malignants of this
now distressed Kingdom of England,
and still craving from our soveraigne
Lord the King a faire reconciliation,

IT IS

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with-

(without more effusion) betweene
himselſe and his Parliament, aud ha-
ving informarion that the Kings moſt
excellent Ma^{tie}. intends with all ex-
pedition to ſeize into his cuſtody, as
many and ſo many of the ſtrongest
holds and forts of this Kingdome, as
poſſibly he may, leaving therein a
ſufficient Garriſon of men and Arms
to oppoſe the happie and hoped pro-
ceedings of this Parliament, our lives,
liberties, eſtates and priviledges are
more and more endangered. His Ex-
cellence out of his eſpeciall love, and
abundant care of the good of his
King, parliament, & Kingdome, cauſed
ſufficient aid of men and Arms, to
be diſpatcht and conveyed to all ſuch
Cities, Ports, Forts, and Strongholds
as might prejudice the good effects of
this Parliament, and therein ſufficient

-dwi

c. A.

Garri-

Garrison, to oppose the Malignants
of this agrieved Kingdome, to the
comfort and good of all countries, e-
specially the wellaffected partie of
this Common-wealth.

And therefore in especiall wise did
admonish and impart these ensuing
particulars, for the better satisfaction
of every particular conscience :

1. That the sufferances we have un-
dergone are reduced into two heads: The
first concerning God, the next the Com-
mon-wealth.

2. And as it is the first cause con-
cerning God, so it deserves to be the first
fruits of our labour, being the first and
immediate honour due to God, and of
great weight and validitie, and more
inestimable then this vast Universe.
Therefore we ought to serve in Gods
cause,

cause to draw a blessing on our King and Kingdoms cause.

A Tyrannical Government, if perfected.

3. The Common wealth hath for a long time groaned under a most heavy burden; and the poore distressed Subject sadly laments, still hoping to be relieved, he being scarce able to distinguish between Law and Power; the one of great consequence, and a branch of tranquility, Law and Government, yet abused; the other a Power which over-ruled that Law and Government cum privilegio.

4. That God having weighed his cause, finding it stult and rammed with manifold works of Satan, and more and more endeavouring still to creep in, he in especiall wise took upon him his owne just and irreprovable cause, and raised us as instruments for so good a worke. And that being performed, our King is not onely blest by a rich possession, in enjoying

joying the blessed and plenteous flowing
of the Gospel, but also an eternitie here-
after.

Therefore as you are Members of
God, and Subjects to our Sovereign Lord
the King, first in Gods name put to your
helping hands for Gods cause, your King
and Kingdomes cause, and for a confir-
mation of that hoped blissefull comfort
(the Gospel) which shall bring us and
our posterity in the future to eternitie,
and for a blessed and comfortable raigne
to our deare Sovereigne, and his Royall
Progenie, the good and comfort of our
present condition, the liberty, priviledg,
and freedome of a Christian Subject, and
for a happy and blessed union betweene
King and people: and therein we are e-
ver honoured, and our selves worthy to
be called Gods children.

Herein

Herein is manifested and made
known the faith and love of so good a
Subject, both in Gods cause, his King
and Kingdoms cause, and it is hoped
that no honest indifferent Subject,
that aims at the well and peacefull
raign of our Sovereign, and the peace
& wel-fare of this Common-wealth,
can any way repine or be offended,
but rather adde to their love and loy-
altie, from hence a better portion.

God save the King and Parliament.

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THE CASE OF

The Commission of Array Stated.

Octob: 20 1642

*K. England
Com: Array*

IT is a true saying, that a Case rightly put, is halfe adjudged: It shall therefore be necessary to set down the true state of that great question which doth so much perplex mens minds about the Commission of Array, whereby such as are doubtfull may the better have satisfaction therein.

First then it shall be necessary to take knowledge of the Originall of imposing of Armes, and wherein latter times have varied from that ancient course.

Fortescue de legibus Anglia, Cap. 13.

I conceive that the defence of this Realme doth properly and solely belong unto the King, who is to protect the persons and estates of all his Subjects against foreign enemies: *Qui ad tutelam corporis, & honorum creatus est*: with which agreeeth the Myrror of Justice, *pa. 8.* in the new print. *Estreint de eux un Roy a regner sur eux, & gouverner le peuple de Dieu, & à maintenir, & defendre les persons, & les biens en quies, par les rules de droit.* The King for his assistance herein, that he might the better

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inable:

inable himselfe to defend his Subjects, granted Lands to men of eminency, to be holden of him by Knights service, to some by Escuage, to others by Castle guard, and the like, as he thought fit. Some of these held their Lands by one Knights fee, some by two Knights fees, others by three, some by the fourth, some by the hundredth part of a Knights fee, according to the value and quantity of such Lands he was pleased to confer upon him. He that thus held his Lands by one whole Knights fee, was to attend the Prince in his Warres either in person, or by an able man, forty dayes, well and compleatly arrayed for War. He that held his Lands by three Knights fees, was to do the like service with three men. Such as held by that fourth part of one Knights fee, was to attend one day furnished, as aforesaid. And he that held by more fees, more, and by lesse, lesse time, according to the proportion of their Tenures. By these Tenants the Princes Army was in time of War furnished with souldiers for the defence of the Realme.

Fertescue, fol. 108.

But such as held their Lands in Soccage, were not bound to warfare, they were only such as held by Knights service. By this we now see that the Kings auxiliary helpes for defence of the Realme, lay scattered abroad in all parts of the Kingdome, and it was a difficult and intricate businesse, to know how many Tenants the King had, who were thus bound to assist him, and to know every Tenants proportion of Armes which he was to finde, and for what time. Therefore to facilitate this businesse,

busiteſſe, there was an Officer appointed in every County, known by the name of the Feoder, who was to keepe Rolles of all ſuch as held their Lands by Knights ſervice, and by what quantity of Knights fees they were held, and to return his Rolles into the Kings Court, that ſo he might be informed how many fees he had in each County, that ſo upon all emergent occaſions he might require their ſervices.

In former times theſe Rolles were conſtantly returned into the Exchequer, there to remaine of Record, where many of them are yet this day to be ſcene. And in former times this State was ſo tender in preſerving of theſe Tenures, that in caſe any were alienated, whereby they might come into Mortmain (without ſpeciall licence of the King) thoſe Lands ſo aliened, were forfeited unto the next ſuperiour Lord of the Fee.

When the King had occaſion to uſe his Tenants in the Warres, hee iſſued out Commiſſions to certaine men, thereby giving them power to call all ſuch his Tenants before them, and to ſee them Armed and Arrayed according to their ſeverall Tenures, by which they held their Lands. But you muſt remember, that ſuch as held not their Lands by ſuch ſervices, were not to be charged with any Armes, as appeareth by the Statutes of 1 Ed. 3. cap. 5. 25. Ed. 3. cap. 8. *Forſeſcne de legibus Anglia, fol. 108.*

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Now

Now to apply this to the case in hand, A Gentleman holds Lands of the King by 20. Knights Fees, and hee is bound by his Tenure to maintaine twenty men for the Kings service in his Warres for forty dayes : It will be granted that he cannot performe all these services in his owne person, for he cannot personally performe the service but of one man. (and for his owne person also, the Law giveth him power to substitute an able man in his roome) So then the services of the other nineteene men being defective in him, they must be supplied by others at his charge, and they also must be such men as hold not by the like Tenures, *de suo proprio*, i. e. in their owne right : for if they should, then their owne services would be defective for their owne Tenures, and the King should be at a losse for want of their owne personall services: for that man which doth serve with another mans Arms, would save that service of his owne Lands, which hee himselfe doth hold by the like Tenure. And this may be the reason wherefore the person substituted must be such a one as hath not Lands *de suo proprio*. The Tenures and persons being thus compleated by the Commissioners, they had power to try, drill, and exercise them so, as they might bee made fit for service in defence of the Kingdome.

And this is the true use of the Commission of Array, so much talked of. And to conceive that those Commissioners had by vertue of their Commission any power to aslesse Arms upon any man (other then as aforelaid) were to give an interpretation directly against the Law.

Ass. 45. Pl. 5. 7.

Dyer fo. 24y. Scroes Case.

For a Commission to take a man and his goods, hath been by all the Judges agreed to be illegal.

Fortescue de legibus, fol. 108.

And *Fortescue*, who lived about the time of the making of that Statute, which is extended to warrant the Commission of Array now so much stood upon, and who was chiefe Justice in the next succeeding Kings raigne, saith, that Soccage Land is not bound to Armes, *Et contemporanea expositio est optimus interpres*: Out of all which premisses it may be concluded, that they who stand so much for the Commission of Array, do not state the question aright, but doe herein, as they in the Case of Episcopacy, who argue only of the name, but not of the thing in question. It will be granted that Commissions of Array have been long in use, but not in that sense those men would have them to be, with a Legislative power in the Commissioners to impose what Armes they think fit upon the persons and estates of men at their pleasure; for they are only to see that the King be not deceived in his Armes; nor the Common wealth wronged for want of defence and protection by the withdrawing of any services due.

It will be difficult to produce any authentick warrant to prove that the Kings of this Realme have at any time regally exercised any power of imposing of Armes by

their Prerogative, but what Armes they have imposed, have been by vertue of some Act of Parliament (Tenures excepted) And why by Parliament, if the Kings of this Realme had by their Prerogative power to impose, cannot be imagined? That Armes were imposed by Parliament, may be instanced for many hundreds of yeares, both before and since the Conquest. In *Cannus* his time, a Satrapas was charged with eight horses, whereof foure were with Saddles, and foure without Saddles, foure Helmets, foure Jackets, eight Lances, eight Bucklers, foure Swords, and two hundred markes in money. The *Thamus Regius* was charged with halfe that proportion, but if he were but a common Thane, he was only charged with one Horse, and Armes, and this imposition was by Parliament.

Lamb. Saxon Lawes, fol. 120, 135, 125.

So likewise were the impositions of King *Edward* the Confessor, and *William* the Conquerour by Parliament. For the times since the Conquest, it may be instanced in the Statutes of *Westminster* the first, *Anno 2. Ed. 11. ca. 7. Stat. of Winchester, 13. Ed. 1. Stat. 33. H. 8. cap. 5.* And by *4. & 5. Phil. & Mar. cap. 2.* All former Lawes made for imposing of Armes were repealed, and another kinde of imposing of Armes, viz. According to mens estates, either in Lands or Goods, ordained; and the same yeare, viz. *5. Mar. c. 3.* A Statute was made whereby they were compellable at Musters to shew these Armes, and for the Mustering and Trayning of them: but this Statute of *5. Mar.* for imposing of Armes, being repealed, it may (and not without some reason) be conceived that the Statute of

of 1. *Mar. ca. 3.* for Mustering of them, is now also repealed, being only a shadow that waited upon that body. It cannot be denied, but that the King hath had ayde of the Subject towards his Warres, as the ninth Lamb, and the ninth Fleece, for two yeares, but this was by grant of the Subject, (*Stat. 14. Ed. 3. cap. 20.*) not by vertue of any imposition by Commissioners of Array, or by Prerogative; And being a gift of the Subject, it may not be produced for a President, to give warrant to Commissioners to impose Armes by vertue of the Kings Prerogative, as some doe surmise.

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DECLARATION

OF

*Charles I
K. of Eng*

The Kings Resolution, to
bring up his Armie to the Citie of
London : Prince *Robert* also ha-
ving joyned his Forces with the
KINGS Armie.

Also the Noble Resolution of the
Earle of *Essex* his Excellence, to hinder
and prevent the passage of the Kings Armie,
by breaking downe divers Bridges,
and planting of Ordnance to op-
pose their coming.

Being a warning for the Citie now to be Arming
and to shew their valiant courage in the de-
fence of this honourable Citty of London.



Printed 20th

Printed at London for Iohn Alsop. 1642.

DECLARATION OF

The Kings Resolution, to
bring up his Arms to the City of
London: Prince Rupert also his
King joined his Forces with the
Kings Arms

Also the Noble Resolution of the
Earle of Essex his Excellency to hinder
and prevent the passage of the Kings Arms
by burning down divers Bridges
and planting of Ordnance: together
with such countering

being answering for the City was to be
and to join their countering in the
force of this necessary City of London

Printed by I. B. at the
Printers Office in St. Dunstons Church
Lane London 1642



Declaration of the Kings
Resolution to bring up his Army
to the City of London, &c.

NO better means can be for the avoiding of present danger, than to think of it before it come, and to be exactly informed thereof, since it is an ancient approved truth, that prevention or warning is a good ammunition and winning; that so all well affected persons may prepare themselves to stand in defence of the true Religion, the safety of the Kings person, the preservation of the Parliament; and the generall peace of the Kingdom. Heretofore there was only a rumor of war, which having bin long contriving by the malignant party, that now to the great disturbance of this Land broke forth into an open civil war, pursu'd with such violence

lence that it doth threaten (if there be no cessation thereof) destruction to the whole Kingdome, the windes and reports of warre which blustered in the North, having beene long nourished by malignant vapours are now grown strong, so that they beare down all before them, and as we often see that after a violent storm great showers of raine do commonly follow, so is to be feared that this Land overflowing with abundance of plenty, should now be made an Acheldama or field of blood, and be deeply afflicted with a civill war. The Country hath long suffered under these calamities which commonly happen by the tyranny of the sword and by experience they know that war is only pleasant to weake understandings that never knew the horrible tortures of a battell, but now it is to be feared that we shall feel those cruell effects of warre which wee had better imagine than know, when the *Queens* beheld Troy land desolate in her own ruines, it was such an horrid and horrid spectacle, that it mov'd them to just compassion, since therefore war is so terrible in the execution thereof, and that it doth now seeme to exceed its selfe so far that it would overrun the Land, there being no mercy to be expected from a provoked enemy. And now after many hostile expressions of resistance and opposition made at *Caesary*, *Shewburne* Castle, and lastly at *Red Bank*, where many were slaine on both sides, the King (as it is certainly spread abroad by information from those parts) hath a mighty strong army consisting of Cavalliers and a generall strength of horse and foote, which under the conduct of Prince *Robert* have committed divers outrageous insolencies in the Countrey, and they have

so far prevailed with the Kings Majesty, that it is in-
 tended that his Royall Army shall be speedily conjoin-
 ned with Prince Roberts Forces, and what will be the
 event thereof is doubtful, the outrageous Cavaliers
 and the malignant party desiring nothing more than
 to obtain their ambitious ends by a general devasta-
 tion and ruine of their own Countrey, which is a de-
 sign of a most barbarous resolution proceeding from
 an inhumane indignation and desire of blood, and
 now like so many Wolves, they wouldaine see & sing
 over the destruction of this famous City of London,
 they have an earnest desire to accommodate their
 wants with ransacking rich mens houses, they being
 more bloody than wolves, who in time of war like w-
 broad in the woods as they doe in England, but dare
 not approach neer unto any City, but their insatiable
 Cavaliers have fancied to themselves the besieging
 and taking of this City of London, and have divided
 the streets among themselves already, and they hope
 all to have Aldermens estates before they will quit
 their claim to that which they shall never possess, and
 God forbid that their malicious plots should ever be
 so prosperous that they should ever accomplish their
 desires upon this honourable Citie, yet it is generally
 received as a most true and certain report, that the
 Kings Army is intended to be united and joyned unto
 Prince Roberts Forces, which conjunction must
 needs be very strong in any warlike action, and the
 designe as it is generally supposed is to march and ad-
 vance forward in hostile manner and in a compleate
 body of war, approach near unto the City of London,
 they know they cannot have entrance here without

much resistance; and therefore 'tis likely they bring
 no good intents with them, they being such a nume-
 rous company of malignants, that all well affected
 persons had need to prepare themselves to encounter
 the violence of such blood-thirsty enemies, they
 come to stripp you out of all you have, who would
 not therefore assume a manly courage to oppose their
 fierce attempts. If you hold any thing deare unto you,
 your wives, children or estates, quit your selves now
 (most valiant *Londoners*) stand with magnanimous
 resolutions in defence of the Gospel, the truth and
 purity of Religion, and the protectors thereof, the
 honourable Parliament, make walls about your City
 with armed troops of souldiers, see danger afar off,
 and with a clear discretion shew wisdom in the pre-
 ventation of dangers, the generall rumour and report
 being, *Ecce venit Rex cum milibus militum*, the
 King is coming with many thousand souldiers and
 a great Army, let all true Subjects implicate blessings
 on his Majesty, and pray to God to strengthen this
 Citie and defend it against all malignant enemies.

The

The Earle of Essex his
Resolution concerning the Kings
Armie now comming to
L O N D O N.

THAT a neare approach of danger doth make
noble disposition more courageous in see-
king meanes for the prevention thereof,
so that they will imploy all their endea-
vours to frustrate the designs of their enemy. And
though a great Armie of men; such as the King hath
now raised, doe seeme to come with a power not to
bee resisted; yet the wisdom of a Generall hath
often stopped the proceedings of a pillaging foe: for
all the desire of the malignant party is to come to
London, thinking that if they can but once get into
the Citie, they shall all become as rich as they would
desire; and in such hope and expectation they are
now (as 'tis certainly known) marching hither with
a great body of an Armie, wherein there are divers
sorts of souldiers, but most of them Papists and their
adherents, with many thousand Cavalliers, and o-
ther foot forces, rayted by severall Noble men, but
yet the Citie of *London*, if it were true within it selfe,
and not divided into foolish Factions, need not feare
this

This great preparation, for as soon as certain intelligence hereof was brought unto his Excellencie the Earle of Essex, he took the matter into deep consideration, and knowing that it is a chiefe policie in warre to stop the passages by which an Armie is to be transported, so that they cannot advance forward, nor march on with that speed which they desire, his Excellency, the Earle of Essex, to prevent the suddain removing of the Kings Army, hath commanded divers Bridges to be broken downe, over which they must needs passe, especially two Bridges of chiefe note, which being thus cut off, they have no other way left to carry on their Armie, so that they are now environed with Rivers, over which they know not how to convey so great forces. And besides his Excellency hath commanded Ordnance to be set in divers other places, which are thought most fit and convenient for transportation of the Kings Armie, whose coming to the City is thus opposed and prevented by his Excellencie.

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EXCEEDING
True and happy Newes from the
CASTLE OF
WINDSOR.

Declaring how severall Troopes of
Dragooners have taken possession of the
said Castle, to keepe it for the use of
the King and Parliament.

Likewise manifesting how severall Compa-
nies of Horse and Foot are rayed by Authority
of the high Court of Parliament in

Essex.	}}	Middlesex.
Buckingham-shire.		Barke-shire.
Surrey.		Hampshire.

And other adjoyning Counties.

With a remarkeable passage concerning the
Earle of *Warwicke*, who came to towne, on
Tueslay 18.th of this present October.

Also a Declaration concerning the Major of Wor-
cester, who was brought to towne on Wednes-
day the 19.th of Octob. with a waggon
laden with Plate and Money.

WINDSOR
CASTLE OF
FINE and happy /ewes from the
RECEIVING

Declaring how several Troops of
Dragons have taken possession of the
and Castle to keep it for the use of
the King and Parliament.

As the Parliament is now sitting
at the High Court of Parliament
and the House of Commons is now sitting
at the High Court of Parliament

And the House of Lords is now sitting
at the High Court of Parliament

And the House of Commons is now sitting
at the High Court of Parliament

And the House of Lords is now sitting
at the High Court of Parliament

Exceeding true & ioyfull Newes
FROM
Windsor Castle.

Declaring how severall Troopes of Dragooners have taken possession of the said Castle, for the King and Parliament.



He Kings Majesty having altered his intention of staying at Shrewsbury (as is conceived by the Perswasions of that Cavalier rout, which have destin'd all to ruin and destruction) hath lately bent his

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course

course toward London, being persuaded
that here he should have more aid and as-
sistance, (as is pretended) then he hath
yet obtained. His presence of theirs hath
drawne his Majesty into this course, al-
though, if it were apparently manifest that
they march up to London with an intent
to plunder it, and bring all to ruine and
destruction, that should well affected to
the King and Parliament.

For the perfecting of which practice,
they intended to draw to Windsor, and
to take possession of the Castle, that be-
ing a place of greatest strength in this
part of the Kingdome, by reason of the
height and strength, the Country lying
under it, so that the Castle can command
it round about.

Could they have obtained this Castle,
they would there have fortified them-
selves, till such time as they could have
gathered strength, which having obtai-
ned, they then intended (as is generally
thought) to have marched against London
that

that being their onely aime, but God
which kees the secrets of all hearts hath
brought their practizes to light & made
them apparent to the eye of the world,
their intentions were discovered to the
high Court of Parliament, who by Gods
assistance and direction have taken the
most speedy and effectuall course to pre-
vent so great a mischeife.

For by the appointment of the Par-
liament, severall well affected Gentle-
men and valiant Religious Comman-
ders are gone into *Essex, Middlesex, Buc-
kingham-shire, Barke-shire, Surrey, Hamp-
shire* and other adjoyning Counties, to
raise severall Troopes of Dragoones
and Voluntiers, some of which are arri-
ved already at *Windsor*, and have ta-
ken possession of the Castle, for the use
of his Majesty and Parliament, others
are in their march towards *Windsor*,
where being arrived, they intend to forte-
fie themselves, and to make out-workes,
so that the Cavaliers have lost their la-
bour.

The Countries are very ready to goe in this service, and stand generally for the Parliament, because they see that the Cavaliers plunder all the places they came at, taking and seizing Horse and all things which are portable, and if any one resist, they presently burne their Houses, to the utter ruin and destruction of all those that have dependance thereon.

The Cavaliers in their march toward *London* visited *Coventry* a second time, but the City withstood them valiantly, and by the assistance of the Country routed their whole Army, so that they were forced to retreat disorderly, and every one make shift for himselfe.

The Country makes head against them as they march, being forced to guard their Townes, which if they should neglect, the Cavaliers would plunder.

They pay for nothing, but live all upon pillaging and theeving, therefore

it is our best course not to trust to their mercy, for whosoever tryes them, shall find them like so many *Judasses*, and the poore Protestants shall be handled by them like so many *Publicans* among theeves, if ever they should get the upper hand, or gaine power to perfect their bloody designes.

But God be thanked all their plots have been brought to light, for he hath confounded them in the performance of all their secret Designes.

A true Declaration of the particular causes of the Earle of *Warwicks* coming to *London*.

THE Earle of *Warwicke* having received a command from the High Court of Parliament, intimating unto him, that it was their desire that he should resigne his charge (during his absence) to his Vics-Admirall, and immediately repaire to *London*, which messlage being received

ved by the said Earle, he with all speed
settled his affaires, and on Tuesday the
18. of this present *October* he arrived in
London, whose welcome presence made
ore-joyed the hearts of his beholders
the occasion of his comming to towne
as is generally conceived is to raise men
in *Kent* and *Essex*, his Lordship being
so highly beloved in those parts, that he
can raise more men for the defence of
the King and Parliatment, then any other
Nobleman in the whole Kingdome.

On Wednesday the 19th. day of this
moneth, the Major of *Worcester* was
brought to *London*, with a Waggon la-
den with Plate, which was taken from
the malignants of that County.



FINIS.

THE
JUDGES
RESOLUTION

On the Bench in
Westminster Hall,
the 20. of Octob. 1642.

*Concerning His Majesties Procla-
mation for the rejourning of Michaelmas Term.*

Also the manner of Judge Berkleys
being enlarged out of prison, being charged
of High Treason, and his coming with
much honour to Westminster Hall, and
taking his ancient place, as Judge
in the Kings Bench.

*Likewise the bringing up of the
Mayor of Worcester and an Alderman as Delin-
quents to the Parliament, with above 22.
hundred pound weight of Plate,
by Captaine Barker.*

London Printed for G. Wsber. Off. 21. 1642.

THE
HISTORY OF
THE

Of the Town of
Weymouth
in the County of Dorset

Concerning the
Antiquities of the Town
Also the manner of
the Building of the
Church of St. Andrew
and the
the Church of St. Andrew

Likewise the
the Building of the
the Church of St. Andrew
the Church of St. Andrew
the Church of St. Andrew

Printed for C. Noddy at the
the Church of St. Andrew



The JUDGES
RESOLUTION

On the Bench in

WESTMINSTER-HALL,

Concerning his Ma^{ties} Proclamation

For the adjourning of

Michaelmas-Terme.



His present Thursday being the first day of Return for *Michaelmas* Terme, (*viz. sres Michaelis*) Judge *Berkley* and Judge *Foster* came to Westminster Hall to adjourn the Term, according to His Majesties Proclamation, till the 19. of November next. Judge *Berkley* sitting in the Kings Bench, and Judge *Foster* in the Common Pleas. But because there was no Writ brought for adjournment, there it was resolved by the said Judges and other

A 3

Lawyers

Lawyers, that the Proclamation was onely to give notice thereof to the Countrey, and until the Writ came, the Term doth continue, and such Returns of Writs and other Procees are to be made, as if there were no Proclamation concerning any adjournment thereof.

The truth of this might seem to be lyable to censure, if I should not a little further enlarge my Discourse concerning Judge *Berkley* sitting in the Kings Bench, because he hath been about a year and halfe Prisoner, and divers Articles of high Treason exhibited against him in Parliament, concerning the Case of Ship money, and his Argument in the Exchequer Chamber concerning the same: And that he should now be restored to his former honour and dignity, we may observe the wisdom, lenity, and mercifull proceedings of the Parliament; yet doth not their Mercy and Clemencie overcloud their Justice and Judgement, but as the Psalmist speakes, *Judgement and Mercy doe kisse each other*: For notwithstanding the said Accusation of Treason that was against him, yet the Parliament wisely considering how the case then stood, and being truly informed of the solicitation, which was the onely drawe on of the said Judgement concerning the *Ship money*, used and agitated by that notable Traitor the Lord *Finch*, and that the said Judge *Berkley*, although one of the ablest Lawyers in the Kingdome, was subject to error, as all men are, and that he was meereley drawne to it by the Lord

Finch.

Finch his solicitation, he being not guilty of any former crime that deserved censure, and since his impeachment he hath not shewed himselfe like unto other Delinquents, that have kickt against the pricks, and have beene the causers of greater disturbances and distractions in the Kingdome, then they were before.

The high Court of Parliament having often examined the said Judge, and he giving a good testimony of his loyalty to His Majesty, and his good affection to the Parliament, and the proceedings thereof, and of his desire to do good in the Common wealth, they granted his enlargement; and this day was brought to Westminster with much honour and applause, and took his ancient place in the Kings Bench, and sat there as Judge as he formerly had done, and many hundreds of people did throng about him, being very joyfull to see him advanced againe to his former estate and condition. So that this day it so hapned, one Worcester-shire man that for some time hath beene as it were buried in oblivion, appeared at Westminster in honour and credit, and another of the same Countrey that had great fame and authority very lately, was brought thither in ignominy and disgrace.

For Master *Soly* being Major of the Citie of Worcester, when Sir *John Byron* and many hun-

dreds of the Cavaliers came to Worcester; although it was in his power, to have made such a resistance, that with the helpe of the Trained bands, and others that were wel affected to the Parliament, they might not onely have kept them out of the Citie, but also out of the heart of that Countrey, and in all probability have taken and dispersed them, so that the said Citie and Countrey had beene secured from danger and spoile, he contrary to his Oath and Allegiance betrayed the said Countrey to the mercilesse crueltie of the rebellious Cavaliers, that did pillage and rob many honest men of their goods, and whereby many honest men lost their lives:

And when his Excellence the Earle of *Essex* came into Worcester, he caused the said Mayor and one Master *Greene* an Alderman of the said Citie which was also of the Malignant party, and was a meanes to give entertainment to the Cavaliers into the Citie, and caused their houses to be searched, and their Arms to bee taken from them, and in the Mayors house was found store of plate which he had gotten from Papists and others of the Malignant party, which he intended to send (together with all his own) to assist his Majesty against the Parliament, which was also seised. And when the Earle of *Essex* was ready to march out from Worcester, hee sent up the said Mayor and Alderman with a
strong

strong guard up to London, together with the said plate and some other plate which was brought in voluntarily by those that were well affected to the Parliament and to his Excellence; which in the whole amounted to the value of about two and twenty hundred pound weight, and came all safe to town the last night, and the Mayor and Alderman being kept in safe custody all night, were this day brought before the Parliament to be examined, and after their severall examinations taken before the Committee, and afterwards being also carried to the barre and examined in the House of Commons they were both committed to safe custody till further leaseure, and order given by the House that an Accusation of High Treason should be forthwith drawne up against them.



*The manner of their bringing up
to the Parliament.*

THE Delinquents and the Plate were brought up to London by one Captaine Barker, which brought

brought them from *Abington* with
a guard of about twenty men, Dra-
gooners, which came up all at their
owne charge, and are ready to doe
any service for the King and Par-
liament.

F F N F S.

The Delinquents and the Plate
were brought up to London
by one Captain Baker, which
brought

The manner of their bringing up
to the Parliament.

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A N
ORDINANCE
And
DECLARATION

Of England Of The
LORDS and COMMONS
Assembled in Parliament.

Allowing and authorizing any of
his Majesties good and Loyall Subiects in the
Kingdome of *England*, to furnish with all manner of
Warlike Provision, and send to Sea what Ships and
Pinnaces they shall thinke fit, to make stay of all such
Supplyes as they shall seize upon by Sea or Land,
going to assist the Rebels in *Ireland*.

And to take away all Ships, Goods, and other Provi-
sion, belonging to them, or any that have assisted them.

And the said Adventurers (in recompence of so good
a service) shall have and injoy, as their owne proper Goods,
all Ships, Goods, Monies, Plate, Armes, Munition, Visu-
als, Pillage, and Spoyle, which shall be so seized or
taken by them, without any Account there-
of to be made whatsoever.

October 20. 1642.

Ordered by the Lords and Commons assembled in Parli-
ament, that this Ordinance shall be forthwith Printed
and published.
John Browne Cler. Parliam.

Obss. 21. London Printed for Iohn Wright. 1642.

ORDINANCE

DECLARATION

LORDS and COMMONS
Assembled in Parliament.

Allowing and authorizing any of
his Majesties good and lawfull subjects in the
Kingdome of England, to furnish with all manner of
Warlike Provision and send to sea what ships and
Prizes they shall thinke fit, to make use of all such
Supplies as they shall thinke goodly for sea and
going to assist the Rebels in France
And to take away all Ships, Goods and other Provi-
sions belonging to them, or any that have assisted them.
And the said Adventurers (in recompence of so good
a service) shall have and enjoy as in what proper Goods
all ships, goods, Monies, Plate, Ammunition, Victu-
als, Bulke, and Stowage, which shall be lent or
taken by them without any account there-
of to be made whatsoever.

Given by the Lords and Commons assembled in Parli-
ament, that this Ordinance shall be put in force
and published.
John Browne Clerk of Parliament.
Printed by Iohn Wright. 1647.

Die Mercurii, 19. Octob. 1642.

A Declaration of the Lords and Commons Assembled in Parliament.

WHereas the Lords and Commons in Parliament now Assembled, have received Information, that divers Ships and other Vessels, Warlikely appoynted, equipped, and furnished, belonging to the Rebels in *Ireland*, have been of late set out from the Port of *Wexford*, and other Ports and places in that Kingdome, and have committed and done many depredations, spoyles and pyratikall A&ts upon the Ships and goods of his Majesties good Subjects, Friends, and Allies, and doe thereby very much disturbe, infest, and annoy the publike commerce, intercourse and trade betweene this and other Nations; And whereas the Lords and Commons aforesaid, have further bin informed, that not only many supplies of Victuals and Armes have bene and daily are carried to the said Rebels by French, Dunkerkes, and others, but also many Ships and goods belonging to his Majesties loyall subjects, have bene taken and spoyled by them, under colour of Commissions from the said Rebels, contrary to the Law of Nations and practice of Princes in Amity, in the like cases.

And whereas divers of his Majesties well affected subjects, out of their pious and charitable disposition towards their distressed Brethren, his Majesties Protestant subjects in the Realme of *Ireland*; As also out of their Loyall respect to his Majesty, and detestation to that Rebellion, and to reduce the Rebels in the said Realme of *Ireland* to their due obedience,

énce, and as much as in them lyeth to prevent and hinder all such supplies as shall be sent unto those Rebels, have lately made knowne to the said Lords and Commons their voluntary disposition & readinesse, to set forth some ships and Pinnaces warlikely appointed, equipped, manned, and victualled, so that, in recompence of their charge and adventure therein, they may have and inioy to their owne uses, all such Ships, Goods, Monies, and Merchandizes, which they shall take and surprise by Sea or by Land, belonging to any of the said Rebels, or to any other that have carryed, or they shall take carrying any supplies to the Rebels: Which being well approved by the Lords and Commons in Parliament, as a good meanes to weaken the said Rebels, and so to reduce them to their due obedience, doe commend the same for a pious and laudable undertaking, and are willing to give it all the encouragement and advancement that may be, to bring it to a good & successfull issue, as tending very much to the honour of the King, and the speedy and effectuall suppressing of the Rebellion aforesaid.

And therefore, for the better enabling the performance of this so free and commendable undertaking and enterprise, it is ordered, established, and ordained by the Lords and Commons assembled in this present Parliament, and by the authority of the same, that it shall and may be lawfull for any of his Majesties good and Loyall Subjects of this Kingdome of England, to be approved and thereunto appointed by the Commissioners of the Admiralty, established by the Parliament, in warlike manner to equippe and furnish for the said intended imployment, such and so many Ships, and other Vessels as they shall thinke fitting, and to place in them competent numbers of Souldiers, Mariners, and Gunners, with necessary Armes and Provisions for that service, and to appoynt over them such Commanders, Captaines, and Officers, as they shall thinke fit,

And

And the same Ships, and other Vessels so manned, equipped, Armed, & provided, to set forth to the Sea, and with the same to seize, surprize, and take all and all manner of Ships, Vessels, Goods, and Merchandize, belonging to the said Rebels, or any of them, or unto any person or persons that they shall find or understand to have ayded the said Rebels, or any of them, with Armes, Ammunition, or Victualls, by Sea or by Land: And also to seize and surprize all manner of Ships, and other Vessels, having on board them Armes, Ammunition, or Victualls, bound therewith to the Kingdome of *Ireland*, or any the Dominions of the same, not having on board them a Passport or Licence from the Commissioners of the Admiralty appoynted by the Parliament, as aforesaid, or from the chiefe Governour or Governours of *Ireland* for the time being, appoynted by his Majesty, with the consent of both Houses of Parliament, being to carry the same thither; And to invade the said Rebels in any Ports, Harbours, Creekes, Havens, Islands, Castles, Ports, Townes, or any other places, in the possession of the said Rebels, within the said Realme of *Ireland*, and the Rebels therein to take, surprize, vanquish, destroy, or kill, and to sacke and pillage any such place or places: And further, to surprize and take all and all manner of Pyrats and Sea-rovers, of what Nation soever, and their Ships and Goods whatsoever.

And for the better encouragement of all such Adventurers in the said Enterprise, it is by the Lords and Commons likewise ordered and ordained, That the said Adventurers shall have and enjoy, as their proper Goods, all Ships, Goods, Moneyes, Plate, Armes, Munition, Victualls, Pillage, and Spoyle, which shall be seized or taken by any persons, by them to be employed by force and vertue of this Ordinance, which by prooffe of Witnesse, upon Oath:

Oath made in the high Court of Admiraltie, and the Definitive Sentence to be given in that Court, shall be pronounced at the time of the taking or seizure thereof, to have belonged to any *Irish* Rebells, or any person or persons whatsoever, that hath supplied those Rebels, or any of them, with Victuals, Armes, or Munition; or shall be taken, having on board them Armes, Munition, or Victuals; bound therewith to the Kingdome of *Ireland*, or any the Dominions of the same, not having on board them such a Passport or Licence as aforesaid; or to belong to any Pyrate or Sea-Rover whatsoever; and the same to have and enjoy to their owne use, without any accompt whatsoever thereof to be made; Reserving the Tenth accustomed in such cases to be payd to the Admirall, to be disposed of by Order of both Houses of Parliament.

And it is further ordered and ordained, That there shall be true and faithfull Inventories taken of the Ships, Monies, Goods, Plate, Pillage, and Spoyle, which shall be taken by vertue and authoritie of this present Ordinance, and a true appraysement made of the same; and the same, together with all Papers and Writings, found in any Ship or other Vessell, by them to be taken, shall be carefully preserved: and two or three of the Officers of every Ship or other Vessell so taken, shall be examined before the chiefe Officer of the next Port, within any of the Kings Dominions; and the said Examinations, with the Papers, Inventories, and Appraysements, shall be sent into the Registry of the high Court of the Admiraltie aforesaid, to the end that the taking of the said Ships may thereby be justified, or restitution by the said Adventurers (if there shall be just cause) there made.

And more particularly it is hereby ordered and ordained by

by the Lords and Commons aforesaid, and they doe by ver-
tie of this Ordinance give unto the persons to be set forth
to the service as aforesaid, and to every of them, power, au-
thoritie, and warrant, That if they shall happen upon the
Sea, or in any Port, Harbour, or Creeke, to meet with any
ship or ships that shall not willingly yeeld themselves to be
visited and proved by Law and Justice, but will defend them-
selves by Force and Violence; then they shall by all meanes
possible, and with all force, compell them to yeeld and sub-
mit themselves to Reason and Justice, although it doe fall
out, that by fighting with them, one or more of them be
maymed, hurt, or slaine in the resistance.

And it is further ordered and ordained, That the Cap-
taine, Master, and two or three other of the principall Offi-
cers of every of the Ships and Pinnaces, so to be set forth
upon the said Enterprise, shall before their going to Sea
enter into a Bond in the high Court of Admiraltie, in the
summe of two thousand pounds, unto the Speaker of the
Commons House of Parliament for the time being, to the
use of the Common-wealth, and to be disposed of as both
Houses of Parliament shall appoint, to the use of the Kings
Majestie; That the said Ships or Pinnaces respectively, nor
their Captaines Masters, or any of their Companie, under
colour or pretence of this Ordinance, shall rob, spoyle, or
endammage any of the Kings Subjects, Friends, or Allyes,
other then such particular persons of his Majesties Sub-
jects, Friends, or Allyes, as shall be found to have aided and
relieved the said Rebels, or shall be taken carrying Armes,
Vitualls, or Munition for *Ireland*, without Licence or au-
thoritie as aforesaid, or shall have committed Pyracie; and
that true Inventories and appoysements shall be taken of
the ships and goods, before the same shall be vended or dis-
posed; and the same together with the Papers found aboard
any

any such Ship, and the examinations of the chiefe Officers of the same Ships, as is before declared, returned into the Registry of the high Court of the Admiraltie aforesaid.

And lastly, it is hereby further ordered and ordained, That this Ordinance, nor any benefit thereby shall extend to the setters forth of any Ship, or other Vessell, upon the Enterprise aforesaid, where Bonds shall not be given, as is before expressed, and a Certificate under the Admiraltie Seale obtained, of the putting in of such Caution.

FINIS.

W

TO

of

of

D: Egge Sham



Or

THE

Strange Apparitions,²³

OR

The Ghost of King James, K

With a late conference between the ghost of
that good King, the Marquess Hamelton, and
George Eglisham, Doctor of Physick, unto which ap-
peared the Ghost of the late Duke of Bucking-
ham concerning the death and poisoning of King
JAMES and the rest





King James his Ghost, or
A late conference betweene the
ghost of that good King, the Marquesse
Hamiltons, and *George Eglisham* Doctor of
Physicke, and the Ghost of the late Duke
of *Buckingham*, &c.

King James.



Ost thou know mee *Buckingham*, if our
Spirits or Ghosts retaine any knowledge
of mortall actions, let us discourse toge-
ther?

Buck. Honour hath not now transpor-
ted me to forget your Majestie I know
you to be the *Vmbra* or Shade of my Se-
veraigne King *James*, unto whom *Buck-*
ingham was once so great a Favourite: but what Ghost of *Ari-*
stotle is that which beares you company; his pale lookes shew
him to be some Scholler.

K. James. It is the changed shadow of *George Eglisham*,
for tenne yeares together my Doctor of Physick, who in the
discharge of his place was ever to me most faithfull, this other
is his and my old friend Marquesse *Hamiltons*.

Bucking. My Liege, I cannot discourse as long as they are
present

present, they doe behold mee with such threatening looks, and your Majesty hath a disturbed brow as if you were offended with your Servant *Buckingham*,

K. James. I and the Marquesse *Hamilton*, have just cause to frowne and bee offended, hast thou not beene our most ungratefull murderer?

Bucking. Who I my Liege? what act of mine could make you to suspect that I could doe a deed so full of horror, produce a witnesse to my forehead before you condemne me upon bare suspicion.

K. James. My Doctor *Eglisbam* shall prove it to thy face, and if thou hast but any sence of goodnesse shall make thy pale ghost blush, ungratefull *Buckingham*.

Bucking. I defie all such votes & false accusations, if I had beene so wicked, why was not I when living brought to tryall and sacrificed to Iustice.

K. James. A Petition was drawn by my Doctor *George Eglisbam*, wherein hee most lovingly amplified the ingratitude of thee my Favourite *Buckingham*, in poysoning mee his Sovereigne which he then presented to my Sonne King *Charles*, and to the Parliament, (for hee had vowed to revenge our deaths) but they taking no course for the examination of the guiltinesse, by reason of thy plot which dissolved that parliament, Doctor *Eglisbam* was faine to go over into Holland to avoid the fury of thy malice.

Marq. Hamelt. Nay he discovered thee *George Villiers* Duke of Buckingham to have committed two eminent murders, namely of the Kings Majesty, and of me the Lord Marquesse *Hamilton*, and for all thy subtilty in thy poysoning art. God hath on earth manifested thee to be the author of our deaths.

Bucking. Were we living thou durst not vse this language, thy words are false, who dare appeare to prove what thou didst speak.

D. Eglisb. I Doctor *Eglisbam* as I did once accuse thee vnto the King and Parliament. and the whole world, so I affirme againe, that thou didst Poyson King *James* and Marquesse *Hamilton*. and first I will prove the murder of Marquesse *Hamilton* who dyed first.

Bucking. I stand without all feare, and darst thou (base Doctor) to speake even all thy malice an invectiue against me?

D. Eglish. Then know Buckingham, that being raised from meane blood to honour, and therefore extreame proud, thou had'st an ambition to match thy Neece with the Marquesse, his eldest Son, and the Bride should have had 50000^l. poured out for her portion.

Bucking. But, what is this to the matter of Poysoning the Marquesse.

Eglish. Yes thy Neece being vnequall in degree to the Marquesses Son; the Marquesse thrice refused the offer of such a marriage, but at last hoping some way might be found to annule it before it should be confirmed, hee yealded vnto the Kings desire of the match and at Greenwich before the King it was concluded, and you, Buckingham caused your Neece to be laid in bedd with the Marquesses Son in the Kings Chamber; the bride being iust and not marriageable. Afterwards the Marquesse having sent his Son into France to prevent the confirmation of the marriage and your Neece growing marriageable, and the confirmation of the marriage by you desired, the Marquesse answered her, since the motion, which caused a deadly quarrell betweene you and the Marquesse, often reconciled, and often breaking forth againe.

Bucking. It may be I was offended but I sought no base revenge.

Eglish. That shall appeare hereafter. The Marquesse of Hamilton after this quarrell hapening between you fell sick, and you whome King James knew to be vindicative, had occasioned this his sicknesse and afterwards his Death by poyson.

Marq. I could not endure that thou shouldst come neere me Buckingham in my sicknesse.

Bucking. But I was still desirous to visit you in your sicknesse, though this urinall observer Doctor Eglish kept mee away.

Eglish. I knew your visitation proceeded from dissimulation, but to hasten to the end of my accusation, you Buckingham and my Lord Denbigh would not all the time of his sicknesse suffer

suffer his Son to come neere him, least my Lord Marquesse should advise him not to marry Buckingham's Neece matters being thus suspiciously carried, my Lo. Marquesse deceased, and you Buckingham would have him buried that night in Westminster Church, when he was dead his body was swell'd to a strange and monstrous proportion; I desir'd his body might be viewd by Physicians, but you Buckingham being guilty endeavoured to hinder it, but view him they did, and all the Physicians acknowledged that hee was poysoned, and after his death, you Buckingham sent my Lo. Marquesse his Son out of Towne, made a dissembling shew of mourning for his death, and a brute was spread of poysoning Buckingham's Adversaries, and the poyson-monger or mountebank was graced by Buckingham, all which are sufficient grounds to prove you guilty of Marquesse Hammelton's death, now I will also declare thee to bee a Traytor in poysoning thy Sovereigne King *James*.

Buck. Speake what thou canst, and adde more lyes to this Relation, I will not answer thee untill the end.

K. James. Was Buckingham the Author of my death, I would have thought those Heavenly Essences called Angells might have beene sooner corrupted than Buckingham, was hee my poysoner?

Eglisr. Hee was my Liege, for Buckingham being advertised that your Majelty had by Letters intelligence of his bad behaviour in Spayne, and that your affection towards him was thereby growne somewhat colder; Buckingham after his coming from Spayne said, that the King being growne old it was fitt hee should resigne all Governement and let the Prince bee Crowned.

K. James. Didst thou desire the death of thy aged Prince? I could not long have liv'd by natures course, must poyson needs dispatch mee? But proceed *Eglisr*, give us the circumstances briefly how and in what manner I was poyson'd by *Buckingham*.

Eglisr. Then thus my Liege, your Highnesse being sick of an Ague, and in the Spring, which is no deadly disease, *Buckingham*, when your Doctors of physick were at dinner, on the

Munday before your death, offered you a white powder to take, you refused it, but after his much importunity took it, and thereupon you grew extreame sicke, crying out against that white powder, and the Countesse of Buckingham. *Buckingham's* mother applyed a plaister to the Kings heart and breast, whereby all the Physicians said that he was poisoned, but *Buckingham* threatned the Physicians and quarrelled with them, and *Buckingham's* mother fell downe on her knees and desired Iustice against those that had said that her sonne and shee had poisoned your Majesty: Poisoned me? said you, and with that King *James*, you turned your selfe, swoounded and dyed.

Buckingham as before made a dessembling shew that he was sorry for the Kings death, which was nothing so, for hee was nothing moved at all, during his sicknesse nor after his death; To conclude, the dead body of King *James* like as Marquesse *Hamilton's* corps swell'd above all measure, their haire came off, and their nailes became loose, now therefore upon these proofes in presence of the King and Marquesse, confesse thy selfe guilty, for *Buckingham* thou wert both a murderer and a Traytor.

K. James. *Buckingham* what canst thou alleadg for thy selfe: Did not I end many differences and jealousies between my son *Charles* and thee, & compose many factions; Did not I when ill language issued from thee, in so much that blows were struck, and swords drawn in my presence to the jeopardy of thy life, crye save my *George* save my *George*: did I not love thee *Buckingham* as if thou hadst been my dearest son? made thee from low beginning rise so fast, so that thy sudaine growth in honour was envied at the Court? hadst thou poisoned some other man, thy soul had not bin half so black or foul; thou mightst have bin compelled to it by envy, or else transported by some cruell passion, or urged thereunto by jealous feares to make away thy enemy, but to kill him that was thy gracious Prince, whose favour had created thee Duke, and gave thee honours farre above desert, it was the highest steppe of base ingratitude. O *Buckingham* goe and lament thy finnes, and here to ease thy troubled minde confesse unto mee, didst thou poison thy Master King *James*, shew me why and for what reason thou didst it.

Buc.

Buc. First, your Majesty began to decline & wou'd affection to me and likewise to be very jealous of all my actions and sayings, Secondly, your Majesty was stricken in yeares, and grew intemperate, and a burthen to your selfe and to your people, and they sick of an old government & desiring a new change. Thirdly, had I not undertaken it, I could not have stood a Favourite to a succeeding King, nor been so eminent in the Court.

K. James. Who were actors besides thy selfe in this hellish plot.

Bucking. Many more besides my selfe; whom I dare not reveale as yet; but time shall produce them, and their foule actions. Sir, I desire your pardon; I did contrive your death by poyson, but I have paid full justice for it since, my conscience hath been my Judge and executioner.

K. James. Let Princes learn from thee never to trust a Favourite, but what dost thou answer to the accusation of poysoning *Marquesse Hamilton*.

Bucking. This *Dr. Eglisham* hath spoke all truth, and proved by many circumstances that I procured his death by poyson; I know that I am guilty but cannot more be punished, furies of conscience do torment my soule, and I have no hope of ease untill you seale my pardon, and say you can forgive mee, for I *George Duke of Buckingham* poysoned King *James*, and *Marquesse Hamilton*.

Eglish. And lastly for feare that I *George Eglisham* should discover you as I have now done to be the poysoner, I was sought to be murdered, but I fled into Holland; and there by your appointment I was stabb'd and killed.

Bucking. I do acknowledge that my mortall hatred unto thee was great; and I acknowledge my selfe guilty too of thy death *Dr. Eglisham*.

K. James. Then *Buckingham* thou wast to me a most ungratefull Traytor.

Marq. Ham. To me a cunning and dissembling poysoner.

Bucking. I suffer for it now, for heaven is just, farewell, I'll goe and weepe for griefe.

Murder

Murder will out, and just revenge though slow,
 Doth overtake the murderer, this I know
 Whose passages of life and shining glory
 Might be compil'd into a tragick story.
 For before Felton did my life conclude,
 I added murder to ingratitude;
 Never did weeping penitent confesse
 With greater sorrow, oh I did transgresse
 Against the Law of nature, that would have,
 Subjects defend good Kings, not dig their graves.
 The voice of murder she doth upward flye,
 And unto Heaven doth for vengeance crye,
 And you good King were gracious to that man,
 Whose ghost you see the Duke of Buckingham.
 But I was most ungratefull to my King,
 And Marquesse Hamelton whom I did bring
 Both to untimely deaths, forgive my sin.
 Great King, great Marquesse, Doctor Eglisham
 All murdered by the Duke of Buckingham.
 Forgive me all, and pardon me I pray,
 This being said, the Dukes ghost shrank away.

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CERTAIN ²⁴
PROPOSITIONS
MADE BY THE HIGH
COURT OF PARLIAMENT,

To the Trained Bands, in, and

about the Citie of London,

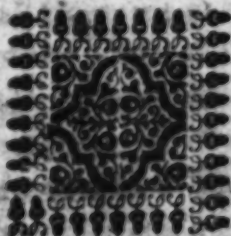
October 17. 1642.

For the drawing out of fiftie in a Company
to goe and loyne with other Countiees, to stop
the *Cavaleers* for comming to London.

ALSO

Divers Directions from the House of Parlia-
ment for the settling of the present Distractions
in this KINGDOME.

Whereunto is added diverse weightie Reasons
shewing that this present Warre
cannot continue long.



LONDON:

Printed for John Franke, October 21.

1642.

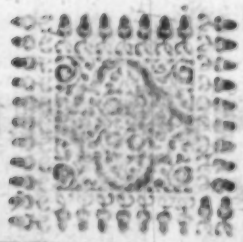
CHRISTIAN
PROPOSITIONS
 MADE BY THE HIGH
 COURT OF PARLIAMENT

To the United Kingdom, in and
 about the City of London,
 October 17, 1842.

For the drawing out of this in a Company
 to goe and loyne with other Countries, to stop
 the Caravan for coming to London.

EX L 10
 Divers Directions from the House of Parlia-
 ment for the sending of the present Propositions
 in the Kingdom.

Whereunto is added diverse weighty Reasons
 shewing that this present Warre
 cannot continue long.



LONDON:
 Printed by John ...



**CERTAIN
PROPOSITIONS
MADE BY THE HIGH
Court of PARLIAMENT to the
Trained Bands, in, and about the
Citic of London, Octob. 17. 1642.**

IT being informed to the House by many Letters from Shrewsbury, and other parts of this Kingdome, that his Majestie cannot stay long about Shrewsbury, it was concluded and agreed by both Houses of Parliament, that the Trained Bands of the Citie of London, should be summoned to appear before their severall Captains, that forthwith Propositions might be made unto them by their severall Captains, as should be thought fit for the defence of the Citie of London, (in regard the Cavaliers doe earnestly desire that this Majestie would march thither, because those rich and fruitful Countreys in the way were like to yield them a supply of their present necessities, and the Wealth of London, a full satisfaction of their hopes) the severall

Captains of the Trained Bands of the said Citie, had Instructions from the High Court of Parliament, to make these Propositions to their severall Companies the 17. day of this Instant *October*, which was to the effect following, viz. that about fifte of every Company might be drawn out of the said Trained Bands to march forth and to joine with the Trained Bands of the Countie of *Middlesex, Surrey, Essex, Hertford*, and severall other Counties, which are all to meete at a place of *Randolphs*; and that in the meane time, a view may be taken of their Armes, and that they be all in a readinesse at an hours warning.

The second Proposition was that such as were not able or willing to goe upon this service, which was for the publique good of the Kingdoms, should provide Armes for their servants to goe forth upon the said Expedition.

Thirdly, That such as are able should contribute for the setting forth of Dragoners (for which in convenient time they shall receive satisfaction) that the Cavaliers may finde opposition in every place where they come.

All which Propositions were for the Major part consented unto by every Company; onely some few that did make some excuses, and desired to be exempted from going any further then to attend upon their Captains, which was taken into consideration.

The

The House of Parliament being very sensible of the great evils and distractions that are in this Kingdome, by reason of his Maieftie being drawn away by wicked Counfels to leaue warre against his Parliament, whereby they have already brought the whole Kingdome into great and eminent danger, they have thought fit to prescribe some meanes for curing and prevention of these evils. The first whereof is that good provision be made by loan and contribution for the Armie raised by the Parliament, that thereby this Army may be alwayes ready to attend the removes of the Kings Armie, either in one body or divided, as there shall be occasion according to the wise conduct and direction of the Generall, that so no opportunitie of fighting be lost, nor the greedy Souldiers of the Kings Army be suffered to ruine and spoile the Countrey at their pleasure.

That the Countreys thorow which the Kings armie is to passe, are to associate themselves and draw all their Forces together for the mutuall defence of their persons and goods from oppression and spoil.

That those Counties be required to send in all their horses fit for carriages, and for Dragoones, as well for the assistance of the Lord Generall, as likewise by such meanes those horse may be kept from being employed by the Kings Armie.

That command and direction be given to all

Lieute-

Lieutenants of Counties, and Deputie Lieutenants, that all the trained Bands, and all Volunteers be put into a readinesse to be brought to such Rendezvous, and to be obedient to such Commanders as shall be appointed by the Committee for the safetie of the Kingdom, or by the Lord Generall.

That Powder, Ammunition, and Ordnance, with all other necessaries be prepared for these Forces, that so without any trouble or confusion they may be brought together, and fitted for service upon all sudden occurrences.

That all those that in the Citie of London, or any other place, shall weare any other Colours, or other marks of division, whereby they may be distinguished from others, and knowle to be of the Malignant partie, shall be examined, searched, and disarmed: as likewise all others, who being able, shall not lend or contribute towards the publique safetie of the Kingdom in this time of so great and eminent danger.

That it be commended to the serious consideration of all those that are now with his Maiestie and ioyne in actual warre against the Parliament, (amongst whom it may be supposed there are some honest Protestants) what it is that moves them in this quarrell seeing the Parliament do really offer to preserve the safety of his Maiesties Person, the Laws of the Land, the Liberty of the Subiect, and all other things

things which may make his Maiestie a glorious King, and his Subjects a flourishing Nation. And that these proceeding (if they should prevaile) would onely be a means to make Traytors and others great Delinquents, to be oppressours and destroyers of the Kingdome; and that they should not onely escape the iustice of the Parliament, but trample in the spoiles of all honest men, and that through our troubles and divisions, the Rebels in *Ireland* may prevaile, that we may cease to be a free Nation, and become the subject of crueltie and oppression at home, and of scorn and infamy abroad.

Having thus declared these particulars, wherein the height of these miseries, in which we are involved do sufficiently appeare, I have thought good to adde hertunto three principall arguments, to prove that these wars cannot continue long.

First, because of the Parliaments loyaltie and tender affection to the King, all their counsels tending to the safetie of his Majesties person, and the peace of the Kingdome: and since his Majesties taking up of Armes against them, their proceedings have been full of humble and submissive intreaties to his Maiestie to hearken to the faithfull counsels of his great Counsell of Parliament.

A second reason to shew that these warres cannot continue, is, because the Counsels and endeavours

of

of those that have drawn away his Maiestie from hearkning to his great and faithfull Countsell of Parliament, have been frustrate and brought to nought, they being still driven from place to place, which is none of the least Arguments to prove that God hath a speciall hand in it, and will suddenly recompence them according to their own devices.

Lastly, it is a thing very observable, that God hath exceedingly prospered the wise counsels and endeavours of the Parliament, so that they have been very successfull in all their undertakings, foreseeing dangers when they seemed farre off, and preventing them. And therefore let not any be too much dejected at the present calamities, for if the Kingdom will but stand together and ioyne in association against the Cavaliers at this time, these wars will quickly be ended.

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ANTI-CAVALIERISME,

OR,

TRUTH PLEADING

As well the Necessity, as the Lawfulness
of this present War, for the suppressing
of that Butcherly brood of Cavaliering
Incendiaries, who are now hammering
ENGLAND, to make an
IRELAND OF IT:

WHEREIN

*All the materiall objections against the law-
fulness of this undertaking, are fully cleared and answered,*

AND

ALL MEN THAT EITHER LOVE
God, Themselves, or Good men, Exhorted to
Contribute all manner of assistance hereunto.

BY JO: GOODWIN.

*Be not afraid of them: Remember the great Lord and fearefull, and
fight for your Brethren, your Sons, and your Daughters, your Wives, and
your Houses. Nehem. 4. 14.*

All that take the Sword, shall perish with the Sword. Mat. 26. 52.

Dei Rex Legi, quod Lex Regi, .i. Imperium ac potestatem.

London Printed by G. B. and R. W. for Henry Overton,
At: 2/ At his Shop in Popes-Head-Alley.

WATSON & CO. LTD.

THE PATENT

of this patent is hereby notified
that the same has been granted
to the applicant by the
Comptroller-General of Patents
under the provisions of the
Patents Act, 1907.



ALL MEN WHO HAVE
God, I thank you for the
Gift of this patent.

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The Patent Office,
London, England.

London, England.
The Patent Office,
London, England.



ANTICAVALIERISME,

OR,

TRUTH

Pleading as well the Lawfulnesse, as the
Necessity of this present VVar.



THAT which some in the Gospell spake in great amazement, by way of glorifying God, upon occasion of an unexpected breaking out of his goodnesse and power, in a miraculous cure, *It was never seene after such a fashion (Mar. 2. 12.)* may now be uttered by the Inhabitants of this Kingdome, with astonishment, to the everlasting shame and infamy of men; upon occasion of the late breaking out of that fire of rage and cruelty, which yet burneth in the midst of the bowels of it, and threatens to consume the very foundations thereof, except it be seasonably quenched by a gracious raine from on High. And as all that saw that inhumane butchering and quartering out into pieces of the *Levites* wife by her owne husband, cryed out, and said, *There was no such thing done or seen, since the time that the Children of Israel came up out of the Land of Egypt, untill that day, Judg. 19. 30.* So doubtlesse whosoever shall consider what bloody and horrid intendments and attempts against this Nation, have passed the hearts and hands of some of her own Children, may truly say, There hath no such thing been done or seen in the Land, since God first caused men to dwell on the face of it.

A

What

Anti-Cavalierisme.

What shall we think of that Legion of Devils (I had almost called them) who now possesse the Land, and alter the manner of Devils indeed, seek all to rent and teare it in pieces; I meant that Colluvies, that heap, or gathering together of the Cum, and drosse, and garbage of the Land, that most accursed confederacy, made up of *Gebal, and Ammon, and Amaleck, Philistims with the Inhabitants of Tyre, of Jesuits and Papists, and Atheists*, of stigmaticall and infamous persons in all kindes, with that bloody and butcherly Generation, commonly knowne by the name of Cavaliers? Have they not thorough some black art or other gotten the chiefe treasure of the Land, the King, into their possession, setting him still in the Front of all their desperate designs; which are these, and their fellows: 1. To pull those Stars out of the Firmament of the Land, to dissolye and ruine that Assembly, which is by interpretation, or representation (which you will) the whole Nation. 2. When they have opened this doore of hope unto themselves, to turn the Lawes, and present frame of Government upside downe. 3. To make havock and desolation, to roote out the Generation of the Saints rush and branch, men and women, young and old fearing God, out of the Land. 4. To make rapine and spoile of all the goods and possessions, at least of all those that withstand them, and are not brethren in iniquity with them. 5. To build up the Walls of *Jericho*, to put *Lucifer* againe into heaven, I meane, to advance the tyrannicall Thrones of the Hierarchie to their former heighth, or higher, if they know how. 6. By their authority and power to excommunicate and cast out all the pure and precious Ordinances of God out of his House, and to supply this defect with Antichristian, and spurious institutions. 7. To spread that Veile, or covering of Antichristian darknesse again over the face of the Land, which God by a most gracious hand of providence had rent and taken off many yeares since; to leaven the whole lump of the Land, the second time, with the foule leaven of Romish error and superstition. 8. And lastly, as is much to be feared, when they have served their turnes with, and upon the King, and used him as an Engine to get all the stones together for their building, then to make rubbidge of him, as if they had honoured him sufficiently, to cause such sacred designs as these to passe thorough his hands, and made him instrumentall, or any wayes accessory in such Angelicall atchievements. Doe we thinke that the light of the knowledge of God shines in the hearts and consciences of these men? Have these men the minde of Christ amongst them? Doe they know who is the Lord? Or doe they not thinke rather, that *Baal*, or *Belial* is he? Have all the workers of iniquity (saith *David*) no knowledge, that they eat up my people as they eat bread? *Psal. 14. 4. i. e.* That they injure, vex, and consume them with no more remorse, regret, or touch of conscience,

Anti-Cavalierisme.

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conscience, then they eat and drinke to preserve their naturall lives : as if such men as these, the people of God, were made for the same end and purpose to them that bread is, *viz.* to be eaten up and devoured by them. Have they no knowledge (saith the Prophet) that they dare attempt such a thing as this ? Implying (as it should seeme) that to vex, molest, persecute, and destroy the people of God, argues the most profound ignorance, and thickest darknesse in the mindes and understandings of men, that can likely be found there ; and that the weakest impressions or glimmerings of any true light of knowledge, would keep men from dashing their foot against this stone howsoever. If men had but as much knowledge of God, as *Pilates* wife had in a dreame, they would take heed of having any thing to doe with iust men. And these things (saith our Saviour to his Disciples concerning those that should kill them, and thinke they did God service therein) these things (saith he) they shall doe unto you, because they have not known the Father, nor me, *Iohn* 16. 3. If men had the least degree of the true knowledge of God in Christ, they must needs have some knowledge of his People and Children also : and if they know these, this knowledge would be as a hooke in their Nose, or a bridle in their Lips, to keep them from falling foule upon them, as the knowledge of Christ the Lord of glory, would have kept the Princes of this world from crucifying him, had it been in them.

And since we are fallen upon the mention of those men who are ready in a posture of hatred, and malice, and revenge, with other preparations answerable hereunto, to fall upon us, and our lives and liberties, both spiritual and civill, upon our estates, our Gospell and Religion, and all that is, or ought to be deare and precious unto us ; and in our miseries and ruines, to render our posterities more miserable then we, and have advanced their designe this way to that maturity and heighth, which we all know and tremble to think of : Give me leave in that which remaines, to excite and stir you up, from the greatest to the least, both young and old, rich and poore, men and women, to quit your selves like men, yea, and (if it be possible) above the line of men, in this great exigency and stresse of imminent danger that hangs over your heads, and threatens you every houre, Oh let it be as abomination unto us, as the very shadow of death, to every man, woman, and child of us, not to be active, not to lie out and straine our selves to the utmost of our strength and power in every kinde, as far as the Law of God and nature will suffer us, to resist that high hand of iniquity and blood that is stretched out against us ; to make our lives, and our liberties, and our Religion good against that accursed Generation that now magnifieth themselves, to make a prey and spoyle of them, to make havock and desolation of them all at once, if the Lord shall yet please to deliver us out of their hands.

hands. Let not our Lives, our Liberties, our Estates, be at all precious or deare unto us in this behalfe, to expose them, be it unto the greatest danger, to prevent the certaine and most unquestionable ruine of them otherwise: Let us resolve to put all into the hands of God, to prevent the falling of all, or any thing, into the hands of these men. There is neither man nor woman of us, neither young nor old, but hath somewhat or other, more or lesse, a Mite or two at least to cast into the Treasury of the Publike safety. Men that have strength of body for the War, and fingers that know how to fight, let them to the Battell, and not feare to look the enemy in the face. Men and women that have only Purfes and Estates, let them turne them into men and swords for the Battell. Men that have heads, but want armes and hands for outward execution, let these study and contrive methods and wayes of proceedings: Head-worke is every whit as necessary in such a time and exigent, as hand-work is. They that have neither hands, nor heads, nor estates, let them finde hearts to keep the Mountain of God, to pray the enemies downe, and the Armies of the Lord up: Let them finde tongues to whet up the courage and resolutions of others. This is a service wherein women also may quit themselves like men, whose prayers commonly are as masculine, and doe as great and severe execution, as the prayers of men. As for little Children that know not the right hand from the left, and so are uncapable of exhortation, or putting on this way, by their weaknesse and innocency (innocency I meane, as concerning the enemies, and giving them the least cause or colour of their bloody intendments, as likewise in respect of the crying sins, and horrid provocations of other men) they doe every whit as much towards the furtherance of the service, as men doe by their strength, by their wisdom, by their estates, or otherwise; as we see in the case of Gods sparing *Niniveh*. The sixscore thousand Children that knew not their right hand from the left, were the great intercessors, and chiefe mediators in the behalfe of the City with him. Yea, the bruit beasts themselves, the Cattell, their case and condition working upon the goodness and graciousnesse of God, were contributors too in their nature towards this service: As is to be seen in the last clause of the place cited from the Prophet *Jonah*. *And should not I spare Niniveh, &c. — and also much Cattell*. Therefore now I beseech you that are capable of the great evils and dangers that threaten you, and are even at your doore, be not you wanting and backward in any thing that is in your hand to doe, if it be possible, and as far as in you lyeth, redeeme your lives with your lives, your estates with your estates, your Religion with your Religion, out of the hands of those men, set them all to work for their own maintenance and preservation: yea, if you know how to create more strength then you have, or to improve your

Jun. 4. 11.

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Anti-Cavalierisme.

your selves seventy times seven fold above the proportion of any your present abilities, I beseech you doe it; at least *be Willing* (as the Apostle beares the *Corinthians* witness they were, in a case not altogether unlike) *above that you are able*, that so you may be sure to give out your selves to the utmost of your ability, the more freely.

Give me leave to set an edge upon you, to quicken and encourage you, to strengthen your hand to the worke, by the tender only of two motives, or considerations unto you.

1. Consider that the cause, wherein you are desired and exhorted to appeare, and to engage your selves to the utmost, is like unto the Law of God it selfe in those excellent qualifications of it: it is just, and holy, and good: there is nothing in it that should make you ashamed either before God, or justly-judging men, nothing that needs make you tender, or holding off in point of conscience. You are to stand up in the defence of your Lives, your Liberties, your Estates, your Houses, your Wives, your Children, your Brethren, and that not of this Nation only, but of those two other Nations likewise united under the same government with this, in the defence of those Religious and faithfull Governours, that Honourable Assembly of Parliament, whose power and priviledges you stand bound by your solemn Vow and Protestation unto God, (besides many bands of conscience otherwise) to defend and maintaine with your lives, power, and estates. Yea, in defence of his Majesties royall person, honour, and estate; all which are now in eminent danger to suffer by that accursed retinue of vile persons that are gathered about him, as Ivie about an Oake, which never suffers it to thrive or prosper, till it be torne off from it. This, men that have their eyes open, may easily see and discern; though others make a mock and a scorn of such an assertion, as ridiculous: But so did *Lots* sons in Sodome, by that saying of his unto them, *That the Lord would destroy the place and City where they were*, Gen. 19. 14. which yet was a serious and solemne truth: Yea, and further, you are exhorted to stand up in defence of the true Protestant Religion, for the name and honour of your God, your Ordinances, and (which ought to be of very deare and precious consideration to you) for the safe conveyance of that great treasure of the Gospel over unto your posterities that are yet unborne. Here is nothing in all this but what the manifest Law of God, and the common light of nature, not only warranteth and alloweth in all men, but even leadeth, perswadeth, yea, urgeth and presseth them unto. Now how should not the goodnesse, equity, and righteousness of the cause be as precious seed, out of which a generation of sons and daughters shall be raised up unto it? Yea, and be spirit and life to the undertakers thereof? And encouragement unto them, to plead it with the highest hand.

hand of meanes and endeavours they are able to lift up? When there is a cause that hath the image and superscription of God upon it, so full and lively as this hath, is it not pity it should want Orators to plead it, that it should suffer and fall to the ground, and none be found to take it up?

Indeede if there were any occasion to make a stand in matter of conscience, if there were any thing doubtfull in the cause recommended to you, any thing to detain your judgements and consciences in suspence, whether it were lawfull for you or no, to appeare in it, there were just cause to spare and to forbear you, at least for a time, till you should be fully satisfied. But now the righteousnesse hereof being as cleare as the light, or as the Sunne at noone day, why tarry you? why are you not up in your might before this, to maintaine it to the uttermost?

Yea, but say the Rabbies and great Disputers that stand by your enemies and strengthen their hand that they can not depart from their wickednesse, that cover, but it is with the covering of the flesh, and of the spirit of the world, not with the covering of the Spirit of the Lord: It is not lawfull (say these men) for you to oppose them, nor to contend any wayes by force against them, because by opposing them, you resist the King the Lords anointed, whom God commands should be obeyed and submitted unto. If you conceive him to be your adversary, yet you ought to oppose him, (or rather that adverse disposition of his against you) onely with prayers and teares, and supplications unto God for him, and with petitorie and humble addressments unto himselfe, but to make no outward resistance at all.

To this I answer,

1. By way of concession, that the King is to be obeyed, and that by the expresse commandement of God. *Submit your selves to every Ordinance of man for the Lords sake, whether it be unto the King, as supreme, or unto Governors, as unto them that are sent by him for the punishment of evill doers,* &c. 1 Pet. 2. 13. Here is submission to the King required in expresse termes, and they that yeeld not the submission here required, resist the Ordinance of God (as the Apostle Paul speakes, Rom. 13.) and by such resistance shall receive to themselves (*viz.* without repentance) *aperta* judgement, or condemnation: God will severely judge or punish them for this resistance. And for my part, I from my soule could wish and desire that the sad distractions and contestations betweene the two opposing parties in the land, might come to a compromise, and be issued and ended upon this point: that party that makes most conscience of keeping that commandement of God which requires submission and obedience unto Kings, to be submitted unto by the other; and that to yeeld, and sit downe, which is most defective this way, and in whom lesse conscience of such obedience appeareth. Only

two things I desire may be taken notice of from this Scripture where submission to Kings is commanded: First, that a King or Kingly Government, is *subordinatum* an ordinance of man, or an humane creation (as the Originall properly signifieth) which yet we know is no lesse generally then impudently, and in the face of expresse Scripture to the contrary, denied by the Divinity and learning of the malignant faction, who by swelling the Prerogative of Kings to a monstrous and most unnaturall proportion, as if they had a minde to make it crack before they had done, have consulted all manner of miseries and calamities to the world, as well to Kings themselves, as to their People. *Submit to every Ordinance of man* (saith Peter) *for the Lords sake, whether it be unto the King, &c.* Therefore he supposeth the King or Kingly Government to be the Ordinance, or creation, or creature of man, And it is evident that so he is; for there were Kings over the Heathen Nations, with the forme of whose government God did no wayes intermeddle by way of any command or appointment concerning it, long before there was any King over * Israel. Nor was it the order or command of God, that there should be any King over Israel, but he was highly offended with the People for desiring it. *Is it not now Wheat harvest?* (saith Samuel to the People) *I will call upon the Lord, and he shall send thunder, and rains, that you may perceive and see, how that your wickednesse is great, which ye have done in the sight of the Lord in asking you a King.* And though he condescended in a passive way, that they should have a King as they desired, yet as he tells them by the Prophet *Hosea*, *He gave them a King in his wrath, and bid them in effect take him at their perils, if they would needs have him, he should deale but hardly by them. He would take their sons and daughters, and make them servile to him, as you have it.* 1 Sam. 3. 11. It is true, in this sense a King, or Kingly power and government may be said to be from God. 1. In a generall or indefinite consideration, as it is a government, not simply, or in it selfe unlawfull: For it is the will and appointment of God, that there should be some government or other in every society of men, yet not any government neither, not any that is unjust, unreasonable, or tyrannicall: And in this sense all formes of government that are lawfull and just, whether they be simple, as the three commonly known by the names of Monarchy, Aristocracy, Democracy; or whether they be mixt, having somewhat of two, or all of these simples in them, are equally and indifferently from God: not any one of them determinately, or with exclusion of the rest. For suppose all Nations and Societies of men in the world, from the foundations thereof untill now, should have set up and exercised only one and the same form of government amongst them, as *viz.* That which we call Aristocraticall (like that in the Low-countries, by some chosen amongst

*See Gen.
14. 12. &c.

amongst them, whom they call States) so that neither the Monarchicall, or Kingly government, nor yet the Democraticall, nor any other government whatsoever had been ever practised in the world unill this day, we must not thinke that the world had herein sinned, in not using any other, no nor yet neglected any Ordinance of God. Because it is no ordinance or appointment of God that any particular Nation or Society of men, should have either this or that speciall forme of government amongst them, but only that they should have some kinde of government which is just and lawfull. Therefore Kingly Government is no Ordinance of God in this sense, *viz.* as imposed upon any Nation or People by way of duty or precept to use and set up amongst them. But being set up in any people, it is warranted, and countenanced by God as lawfull, and obedience & subjection streightly enioyned thereunto. And therefore the Apostles expression, *Rom. 13. 1.* is very expresse and punctuall this way. *Let every soule be subject unto the higher powers; for there is no power (.i. no just and lawfull form of government) but is from God,* the powers that are, are ordained (or rather ordered *ῥησμεως*) of God. The powers that are : Why doth he say the powers that are, are ordained, or ordered by God? Doublesse to shew, that there are some powers or formes of government, *in actu signato*, (as the School-men speak) that is, in respect of their species or kinde, which are not *in actu exercito*, actually exercised or taken up, nor need they be taken up by any State or People in the world. But for those that are, *i. e.* that are *de facto* established, and set up by any People among themselves, (speaking only of those that are lawfull) these (saith he) are ordained, or rather ordered by God: *i. e.* God by speciall instinct and work of providence (q) inclines the hearts of severall Nations, some to imbrace and fall upon one, and some upon another, some upon that which is Monarchicall, or Kingly, others upon that which is Aristocraticall, some upon that which is Democraticall, &c. and withall commands, that that which every Nation or People chooseth for it selfe, should be obeyed and submitted unto by those that have chosen it, and live under it, so long as it continueth : For the time is comming, when

1 Cor. 15. Christ will put downe all rule, and all authority, and power. And this is another sense wherein Kings or Kingly Government may be said to be from God, or to be the Ordinance of God, *viz.* because where it is established and set up, he had a speciall hand in ordering and guiding the hearts of the People to choose it, before others, and withall commands it to be obeyed, as a Government that is lawfull and authorized by him, not as commanded and enioyned by him.

Thus you have the first thing made plaine to you, which was observed from the place in *Prin.* which was, that Kingly power or authority is directly

directly and properly the creation or ordinance of man, though there bee that in it also, which in a sense may give it the denomination of an Ordinance of God; viz. 1. As warranted or countenanced by him. 2. As ordered and taken up by those Nations, who have subjected themselves unto it, by the speciall disposall and work of his providence.

The second thing I desire you would take notice of from the same Scripture, is this, that subordinate Authority, and inferiour Magistracy and power is as much the Ordinance of God, as Sovereignty and supream Authority it selfe is: and that God by one and the same command, requires us to submit our selves to inferiour Magistrates or Governours, as well as hee doth to Kings themselves. Reade the passage againe. *Therefore submit yourselves to all manner of Ordinances of man, whether, &c.* So that it is a sin of the same nature, and renders a man obnoxious to the same danger or displeasure from God, to be found in disobedience to subordinate Rulers under the King, as to the King himselfe. But this for answer to the Objection in the first place, by way of concession or grant, That the King doubtlesse is to be obeyed.

But secondly by way of exception I answer further, that though the King be to be obeyed and submitted unto, yet this obedience was never intended by God to be universall, but with limitation, viz. In such commands wherein a mans obedience to the King should not be found disobedience against God: for in these cases, That of the Apostles *Peter* and *John* to the Rulers, Elders, and chiefe Priests, must take place. *Acts 4. 19. Whether it be right in the sight of God to obey you, rather then God, Judge yee.* The debt of obedience to God must alwayes be paid, whosoever looeth by the hand: Though the truth is, that there is no creature, King nor other, that can lose any thing due to him, by any mans obedience unto God. The Apostles were so confident of the righteousnesse of their cause in disobeying their Rulers in that, wherein they obeyed God, that they feared not to make their Adversaries themselves their Judges therein: *Judge yee.* If a King should command me not to pray for the generall good, or peace of the Church or State where I live, or to forbear the doing of any thing, which I conceive I am bound in conscience unto God to doe for the publique good, I am not in this case any whit more bound to obey the Kings command, then the Apostle *Peter* and *John* were to obey the command of the Rulers and Elders who charged them to give over preaching the Gospell, or then *Shadrack*, *Mesbakh*, and *Abednego* were, to worship the Golden Image, because *Nebuchadnezzar* commanded it. This limitation is plainly enough exprested in that very Scripture, wherein we heard obedience unto Kings commanded. *1 Pet. 2. 13. Submit yourselves (saith the Apostle) to*

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every Ordinance of man, for the Lords sake. If we ought to submit for the *Lords sake*: .i. Either for that love we beare to him, or out of conscience of that obedience which we owe unto him, we ought not to submit in any thing whereby God may be dishonoured or disobeyed. It is senselesse to thinke, that any thing can, or ought to be done for the Lords sake, which cannot be done but to his dishonour, or (which is the same) with disobedience to him.

Yea, but it will still be objected, though it be true, that Kings are not to be obeyed in any of those commands that are unlawfull, in an active way, we are not alwayes to doe what they would have us doe, nor to cease or forbear the doing, of what they would have us forbear; yet are they even in such cases to be obeyed passively: Men are to suffer patiently any punishment they desire to inflict upon them, for refusing any such obedience; or however, they are not forcibly to resist.

To these things likewise I answer: 1. That the unlawfull command of a King, may possibly be of that nature and condition, that a Subject cannot disobey it, but by a strong hand, and taking up of Armes, though not properly or directly against the King, yet against the command of a King. In such a case, disobedience to Kings by a strong hand, and with forcible resistance, is not only lawfull, but even matter of duty and obedience unto God. For instance, A Christian hath solemnly vowed and protested before God, to defend the lives of his godly and faithfull Governours to the utmost of his power: or whether he hath made such a Vow and Protestation or no, it is not much materiall in this respect, because he stands bound in conscience otherwise, and by the Law of God, to doe it. Now suppose such a man cannot performe this Vow, or doe that which is his duty to do otherwise therein, but by a strong hand, and taking up Armes; In this case, if a King commands such a man not to take up Armes in relation to such a defence, it is evident that this unlawfull command of a King cannot be disobeyed, but by taking up Armes against it. There are many other cases of the same consideration and rule with this.

2. I answer further, That it is one thing to offer violence to the person of a King, or Ruler, or to attempt the taking away of his life; another to secure a mans own life, or the life of another, whom we know to be innocent, and much more the publike safety, by strengthening a mans selfe to withstand the violent execution of any unjust command from a King, by those that have no right or lawfull authority at all, to doe any such execution upon us. As for offering violence to the person of a King, or attempting to take away his life, we leave the prooffe of the lawfulnessse of this, to those profound disputers the Jesuits, who stand ingaged by the tenour of their professed Doctrine and practise, either to make good the lawfulnessse thereof, or

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elfe to leave themselves and their Religion, an abhorring and hissing unto the world. As for us who never travelled with any desires or thoughts that way, but abhor both mother and daughter, doctrine and practise together, we conceive it to be a just Prerogative of the Persons of Kings in what case soever, to be secure from the violence of men; and their lives to be as consecrated Corne, meet to be reaped and gathered only by the hand of God himselfe. *Dauids* conscience smote him, when he came but so neare the life of a King, as the cutting off of the lap of his garment.

But as concerning a forcible withstanding, or resistance making, against a violent execution of any unjust command from a King, attempted by those that have no rightfull or lawfull authority to do such execution either upon us or others, yea though the King himselfe be at hand to second his instruments in the execution of such commands, we have sufficient warrant for the lawfulness hereof in the Scriptures themselves. When *Ahab* sent a Cavaliere (you may call him) a man of blood, to take away the Prophet *Elisba's* head, as he sate in his house amongst the Elders, 2 *King*. 6. 32. did *Elisba* set open his doore for him, and sit still till he took off his head, in obedience to the King? No, he bestirred himselfe for the safeguard of his life, and called upon others to stand by him, and assist him against that outrage and violence intended against him: yea and this without any brand or blemish of any rebellion or disobedience to the King; yea though he spake somewhat roundly and freely of the King himselfe. See yee not (saith he to the Elders that were with him) *how this son of a murderer* (meaning no beggars, no lesse then *Ahab* himself, the King) *hath sent to take away mine head? Take heed when the Messenger commeth, and shut the doore, and handle him roughly * at the doore: Is not the sound of his Masters feet behinde him?* Surely he that went thus far, for the safety of his life, when he was but in danger of being assaulted, would have gone further if occasion or necessity had been; and in case the Kings Butcher had got in to him before the doore had been shut, if he had been able, and had had no other meanes to have saved his owne head, but by taking away the others, there is little question to be made, but he would rather have taken, then given a head, in this case. So when *Saul* the King would needs have had *Jonathan* put to death, yea, and had bound himselfe with an oath or curse to have it so (yea and that twice over for failing) the people knowing that *Jonathan* had committed nothing worthy of death (though the King thought he had) but that contrarily, he had deserved well of the State, and had mightily delivered *Israel*, (as the words of the Text are) delivered him by a strong hand out of the hand of *Saul*. 1 *Sam*. 14. 45: Neither is there the least aspersiō or imputation cast upon this People for this fact of theirs, as if they had beene any

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wayes injurious or disobedient to their King. Nay it appeares by the sequell of the Story, that *Saul* himselfe, though a man not of the best disposition, when the *turbidum intervallum*, the fit of passion was over, took it no wayes amisse at the hands of the people, that they had resisted him, in that unreasonable and inconsiderate designe of his against *Jonathan*: but went on, and reigned peaceably over them. *David* in like manner, being unjustly persecuted by *Saul*, and those gracelesse and base flatterers that assisted him in that ungracious designe, and being in danger of his life by them, did hee either sit still, to see whether God would in an extraordinary and miraculous way protect him or no? Or did he submit himselfe to *Sauls* mercy, and lay downe his life at his feet? No, but on the contrary, he provided himself with weapons, the best that were to be had. 1 *Sam.* 21. 8 9. And willingly entertained for the safeguard of life, and to make resistance against *Saul* and his party, all the help of men he could come by, making himselfe an head or Captaine over them. 1 *Sam.* 22. 2. And yet all this while *David* was but one single man, and that of a private and mean condition in comparison.

And this (my Brethren) is the very case that is now before you, or if there be any difference in respect of a justifiableness in the one above the other, all the advantage, which certainly is very much, lies on your side; your scale is much the better weight. These are sons of *Belial* that are risen up against you, full of a spirit of hatred and revenge against you, who partly in plaine words, and without Parables, partly by their insolent carriage and behaviours towards others of the same spirit and cause with you, threaten you with the utmost insolencies they can execute upon you, and (in effect) to stretch the line of miserable and wofull *Ireland* over you and your City, and whole Nation. These either have, or pretend to have a Warrant or Commission from the King to doe what they doe, to make prey and spoile of you, your lives, and liberties, and all that you have; just as the Messenger had from *Ahab*, that was sent to take away the Prophets head (as you heard) or as those had from *Saul*, that went to lay hold of *Jonathan* to put him to death. Now then the question is, whether it be lawfull for you to stand upon your guard in this case, and to seeke the preservation of your lives, and of those that belong unto you, wives, and little ones, &c. and if there be no other likely meanes for your safety, to destroy the lives of those that seek to destroy yours; whether the command of the King (suppose such a thing were, which yet I much question) to wicked instruments to take away your lives, or the lives of those whom you are bound, by oath or otherwise to protect; whether (I say) such a command ought more to prevaile with you to sit still and suffer the destroyer to execute his Commission upon you, to take away your lives, or the command of God and nature which

which lies upon you to defend your lives, and the lives of such others, as we spake of, when they are assaulted, or in danger of assault & This fairely and unpartially is the State of the present question. The great Prophet *Elisha* (as we heard) and the people of Israel under *Saul*, and the man according to Gods own heart, resolved the question clearly enough by their practise.

It it be here objected and said, it is true, such acts as you have related were indeed done by these men : but, *Quo jure*, whether they did well, or lawfully in so doing, is yet in question: An act done by a good man, fearing God, is not therefore good, or lawfully done, because such a man doth it : The ancient Fathers were generally Polygamists : yet the plenty of their practise is but a defective proove of the lawfulness of Polygamy. In like manner, the actions mentioned, having no testimony of approbation from the Scriptures, may very possibly be workes of darknesse, though done by children of light ; yea, though there be no expresse brand of unlawfulness set upon them by God : for Polygamy it selfe hath this negative testimony of its in nocency.

To this I answer, first in generall : That though the goodnesse and holinessse of the person be not sufficient to authorize an act for lawfull, yet whilst the unlawfulnessse of it be clearly evicted by a contrariety in it to some command of God, it is a strong presumption, that an act performed by such a person, is lawfull : To the instance of Polygamy in the Fathers : I answer, that it was apparently a breach of the seventh Commandement, and contrary to the first institution of marriage by God ; the tenour whereof, according to our Saviours own extract out of the ancient Record, runs thus, *Mat. 19. 5. And they twaine* (not they three, or they foure, or more) *shall be one flesh.* And besides, it is plainly branded and condemned by the Spirit of God, as sinfull, *Mal. 2. 14. 15.* as the generall vote of Interpreters upon this place carryeth it. But there is not the least intimation given throughout the whole Scriptures, of any thing sinfull or displeasing unto God, in what either *Elisha*, or the people, or *David* did, in the particulars mentioned.

Those acts of *Solomon*, commanding *Joab* and *Shimei* to be put to death, without any tryall or due processe of Law against them, *1 King. 2.* and so that of *David*, giving away *Mephiboseths* estate to *Ziba*, onely upon a displeasure conceived against him, with some others of other Kings of *Judah*, of like consideration, smelling too ranke of prerogative oyle, are much more questionable in point of lawfulnessse, and of farre more difficult reconciliation with principles of reason and equitie, and with the Law of God it selfe then those other. But,

2. To the particular I answer. First, for the fact of the Prophet *Elisha*, calling out to those that were with him, to lay hands upon him that came armed

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armed with the Kings authority and command, to take away his head, and to shut the doore against him; that in this he did nothing but what was pleasing unto God, appears from the circumstance of time, and that posture of spirit, wherein the Prophet thus contended for his head against him that would needs have had it from him. He was now full of the Spirit of God, and of prophecy: and was in that very instant, wherein his head should have beene taken from him, ready to cry out as a woman in travaile, and to bee delivered of that gracious message, which immediatly followes in the beginning of the succeeding Chapter. Now that so holy a man, and so great a Prophet, should in that very point and instant of time, wherein he was full of the Spirit of God, and ready to deliver a message from him of that high importance and unexpected grace to his people, fall into the foule sinne of rebellion against his lawfull King, is doubtlesse an incredibilitie of the first magnitude.

Secondly, the Elders or Statesmen of the Kingdome, who were present, complied with him in his motion, and assisted him in his opposition against the Kings messenger, who came for his head; laid hands upon him, and suffered him not to enter: which appears from hence, because the Prophets head stood still upon his shoulders. And this is yet a further confirmation of the lawfulness of that resistance, which he made, because it is unreasonable to thinke, that persons of that qualitie, and who cannot be conceived but to have understood themselves sufficiently in a businesse of that nature, being the Peeres or chiefe officers of the Kingdome, should have involved themselves in the danger and guilt of rebellion against the King: which (doubtlesse) they had done, had that act of the Prophet, wherof they were abettors, had any streine or touch of Rebellion in it.

Thirdly, and lastly, the King himselfe (it seemes) comming very shortly after into the place where the Prophet and Elders were, finding the execution, which in hot blood he had commanded, not done, the heate of his passion being somewhat over and abated, fate downe amongst them, and never so much as reproved either Prophet or Elders, for making the resistance they did to his messenger: which it is like he would have done, and that upon high termes, had he conceived either the one or the other to have beene within the verge of a Rebellion; or any other injury or indignitie offered either to his person, or to his Crowne and dignitie.

Againe secondly for the people who delivered *Jonathan* out of the hand of *Saul*, there is no colour to conceive any thing unlawfull or unjustifiable therein. Evident it is that themselves looked upon this fact before it was done, not only as a thing lawfull for them to doe, but as matter of dutie, and that which in conscience they were bound to doe. That expression of theirs
implies

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implies as much: *Shall Jonathan die, who hath so mightily delivered Israel? God forbid.* (1 Sam. 14. 45.) *As the Lord liveth there shall not one haire of his head fall to the ground.* They conceived, that it had beene a sinne of a very high nature in them, if they should not have appeared for his rescue and deliverance, whom they not onely knew to be innocent, and to have done nothing worthy of death, but also *to have wrought with God* for their deliverance. Nor is it easie to conceive what other ground or motive should have induced this people to runne the hazard of the Kings displeasure in *Jonathan's* protection, then conscience onely: though its true, there is no intimation given of: ny complaint made, nor of any offence conceived by *Saul* against the people for this fact of theirs, which is another argument of the lawfulness thereof, yea and of the unprejudicialnesse or in-offensiveness of it to *Saul's* kingly Throane and dignitie, considering how tender and jealous *Saul* was of these, and how impatient of the least touch (yea though but imaginary onely) in them, as appeares in the sequell of his history, especially by his violent persecution of *David*, upon very light and loose grounds of suspicion this way.

Lastly, concerning *David's* gathering a strength of men and armes to him, whereby to make resistance against *Saul*, or rather against that bloody association which conspired with him in a most unjust way, to take away his life; evident it is,

1. That *David*, all the time of this his unjust persecution by *Saul* and his complices, being still in eminent danger of his life, was more soft and tender conscienced then ordinary, and more afraid of sinning against God; yea and prayed both more frequently and more fervently unto God to be preserved from sinne, then at other times; as appeares by many Psalmes composed by him, during this his triall. Now it is a thing altogether incredible, that a man otherwise according to Gods owne heart, under the best and softest frame of spirit and conscience, that ever he liv'd in, and whilst hee made it his earnest prayer unto God daily to be kept from sinne, should so foully miscarry, as to live in the sinne of Rebellion against his lawfull King without repentance.

2. That he respected and honoured *Saul* very highly, and was very tender of doing him the least harme. It is said, *that his heart smote him, because he had cut off but the lap or skirt of his garment,* 1 Sam. 24. 5. using moreover these words to his servants, whose fingers itch'd to have made sure worke with *Saul*; *The Lord forbid that I should doe this thing to my master the Lords anointed, to stretch forth mine hand against him, seeing he is the anoynted of the Lord,* ver. 6. Therefore certainly *David* in defending himselfe against
Sauls

Sauls Cavaliers with armes and men, neither offended God, nor wronged *Saul* himselfe in the least measure. Yea,

3. *Saul* himselfe overcome with this expression of *Dauids* love and faithfullnesse unto him, acknowledged his innocencie, and the uprightnesse of his heart towards him, *vers. 16. Is this thy voyce, my sonne David* (saith *Saul*) *and lift up his voyce and wept. And said to David, thou art more righteous then I: for thou hast rendred me good, and I have rendered thee evill. And thou hast shewed this day that thou hast dealt well with me, &c.* *Saul* did not onely acquit him from those high crimes, of treason, rebellion, sedition, &c. but from all manner of injury or iniustice at all done to him. And if *Saul* against whom the offence (if any) had beene committed, iustifieth him, who shall with any colour of or equitie condemne him?

Lastly (for this particular) the holy Ghost himselfe gives this expresse testimony concerning *David*; *That he did that which was right in the sight of the Lord, and turned from nothing that he commanded him all the dayes of his life, save onely in the matter of Uriah the Hittite, 1 King. 15. 5.* whereas, if that fact of his, defending himselfe by force of armes, against *Saul* and his confederates in blood against him, had beene of any such interpretation as some would make it, (by making other cases like unto it) as either treason, rebellion, or the like; doubtlesse this had beene an higher and greater matter of exception against him, then the matter of *Uriah* it selfe. But yet further that their practise in the particular mentioned respectively, and so yours, being onely conformable thereunto, was, and is every wayes iustificable; and of perfect consistence with the rules of reason, equity and all good conscience, and no wayes derogatory to Kingly power and authority, I remonstrate and prove by this one consideration.

Men that have no lawfull authority or power to take away the lives or goods of men, may very lawfully be resisted in any attempt they shall make, to doe either; and if their lives miscarry in such attempts, they have their meanes in their owne hands, (as we say) their blood is upon their owne heads. This I suppose is a pregnant and knowne principle both in reason and religion. If a man assaults another upon the high way, and seekes to take away his mony or life from him; if the person assaulted slayes the other *se defendendo* (as the Law speakes) there is neither Law nor conscience will take hold on, or reprove him for it. This proposition is manifest. I go on therefore and adde,

But men can have no lawfull authority or power, by any warrant or commission from a King to take away the lives, or goods, of those that are innocent and have not transgressed the Law, no not of those that are not in a lawfull way convicted for transgressors of the Law.

There-

Therefore such men as these may lawfully be resisted in any attempts they shall make either upon our lives; or our goods, notwithstanding any Warrant, Commission, or command they have, or pretend to have, from a King to doe it. And take that along with you which apparently follows from hence: If such persons so assaulted may lawfully resist such assailants, then may they every whit as lawfully provide themselves before hand of such meanes, wherewith they may be able to make the resistance when time comes. As, if it be lawfull for a Traveller to kill a Thiefe upon the way in the defence of his life, or money; certainly it is lawfull for him to ride with a Sword, Pistoll, or the like, wherewith he may be able to doe it. It is ridiculous to grant the lawfulness of an end, and to deny a lawfulness of meanes necessary and sufficient to attaine that end.

But some (it may be) will deny that proposition, which affirmeth, that those men have no lawfull power or Authority to seize upon mens lives or goods who are innocent, and as yet so reputed by the Law, having the authority and command of the King to doe it. That therefore no unjust, or unrighteous command of a King, can enable any man with any lawfull power to put in execution any such command, I thus demonstrate (though indeed it be a thing evident enough in it self without any demonstration) no King can derive any power or authority to another, to any minister, officer, or the like, but only that wherewith himselfe is invested, and possessed of, either formally, or by way of eminencie and surplussage. But no King is himselfe invested with any authority or power to doe any thing which is unjust, or unrighteous: therefore hee can not impart, or give any such power to another: and consequently those that attempt or doe any thing by vertue of any unjust command from a King, had every whit as good doe the thing upon their own heads and authority, without any warrant or commission from the King at all. The fact as touching the lawfulness of it, is but of one and the same consideration in both cases. Now that a King himselfe hath no power or authority at all, to doe any thing that is unjust or unequal, is yet more evident then the former, thus: All power that a King hath in point of government, is derived upon him, either by God, or by men, or both; but is without of his clearest evidence that neither the one, nor the other, neither God, nor man, doth ascribe any power upon him to doe unjustly. Concerning God, there is not the least question to be made: he gives no man Authority to sin; but layes his Authority and command upon all: he would to doe righteously: and as for men, supposing they be but reasonable men that have conferred the power upon a King, it cannot be thought, or noticed, imagined, that they should give a power out of themselves, against themselves; a power to in-

jure, or so wrong either them or their posterity. And though they should be conceived to do a thing so inconsistent with reason and even common sense, yet such an act of theirs, were a mere nullitie: the King was never the more possesse of any such power, because they that are supposed to have conferred it upon him, had it not in themselves, nor the least right or power to derive it upon any other.

Yea, but (will the malignant Doctors) still object and reply, who shall be Judge in this case, Whether the command or commission of a King, given to an Officer, or other subiect, to be put in execution, be unjust, or no? Is it not fit, that rather the King himselfe should be iudge in this case, then every private man? Is it fit to give way or allow, that every private man should scan, examine, iudge, and determine either the righteousness or unrighteousnesse of the Kings command: Doth not such a liberty as this tend to dissolve the bands of obedience to Superiours? To pour contempt upon Kings and Rulers, and to fill the world with confusion?

To this I answer, First, that for many things that are commanded by Kings and Superiours, there needs little or no examination or sifting, whether they be lawfull, or no. Their unlawfulness is written (as it were) in their foreheads, with such Capitall Letters, that he that runs may read it. A man needs no skill either in Arithmetique or Geometrie, nor the use of any rule or square, to try either whether the bow be streight, or the string bent and crooked. Halfe an eye is sufficient provision for this decision. The command of that Idolatrous King *Nebuchadnezzar* with his Nobles, that men should worship his golden Image, was so notoriously wicked, that those three servants of God, *Shadrack*, *Meshaick*, and *Abednego*, were not carefull to answer the King concerning it: *Dan.* 3. 16. that is, they would never take time to study or consider whether they should obey it, or no. Such was the command of the Elders and Rulers to *Peter* and *John*, when they commanded them that in no wise they should speak or teach in the name of *Iesus*. *Act.* 3. 18, 19. Besides many others both upon Sacred, Ecclesiastick, and Civill Record, of like condition and importance.

2. If it be not lawfull for inferiours to examine and enquire into the commands of Kings, and other their Superiours, whether they be lawfull or no; then is there a necessity lying upon men by way of duty, to make men equall with God, and to iudge them as unerringly, as universally righteous and holy, as he; which a man of conscience will hardly forbear to call blasphemy. The sequell is evident: Because men can rise no higher in their thoughts and apprehensions of God himselfe in this kinde, then to iudge him absolutely and unquestionably righteous, worthy to be obeyed, in whatsoever he shall command, without examination.

3. If men were either bound to, or lawfully might obey their Superiours without all examination, there would be no place left for that command of our Saviour, wherein he prohibits his friends and servants, to feare those that could only kill the body; meaning by such, either only, or principally Kings and Rulers, who are commonly said to have *potestatem vite & mortis*, power of life and death. There is no reason to thinke, that either Kings or Rulers should take away the lives of those that will comply with them in all their desires, and commands: and as little reason is there for any man to thinke, that men should run the hazzard of being killed, by disobeying the commands and will of Kings, if they might safely, and with the peace of a good conscience obey and comply with them.

4. It is no more disparagement or dishonour to Kings or Rulers to have their commands examined by those to whom they are directed and given, then it was for *Paul* and the rest of the Apostles to have their Preachings and doctrines examined by the inferiour sort of Christians that heard them. These were every whit as great (if not far greater) in Spirituall authority and dignity, as Kings themselves are in politique and civill. Now the Holy Ghost is so far from reproving those, who examined the things which they heard from *Paul* himselfe, that he hath left it upon Record as matter of especiall commendation to them, *That they daily searched the Scriptures, whether things were so or no*, as he had taught them, *Act. 17. 11.* Yea, the Apostles themselves were so far from looking upon it, as any matter of prejudice to them or their reputations, that what they delivered and taught, should be brought to the touch-stone by those that heard them, that they required this at their hands by way of duty, and exhorted them unto it. See *1 Cor. 10. 14. 1 Thes. 5. 21. &c.* And yet far greater reason is there, why the teaching of the Apostles should have been *inimutabilia*, .i. priviledged from account, then the commands of Kings: because they had a promise of such a presence of the Spirit of truth with them, *that he should lead them into the way of all truth*; whereas Kings, both in the framing and publishing of their Commands, are left to an arbitrary assistance from heaven, after the manner of other men.

5. *The wrath of God hath been revealed from heaven*, .i. hath been shewed in very remarkable and exemplary manner, upon those who have swallowed the commands of Kings, and submitted unto them in things unlawfull. Those Officers that obeyed King *Nebuchadnezzars* command in casting those three innocent servants of God into the fiery furnace, were suddenly consumed by the flame that came out of the furnace; whereas those that streined at the Kings command, & exchanged it (as the Scripture phrase is) meaning (I conceive) for the commandement of God, obeying this in the

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stead, remained untouched of the fire in the midst of the furnace, *Dan. 3:22*. So the men of Israel that had obeyed the commandement of *Saul* in giving their assistance to him for the persecuting of *David*, were punished together with *Saul*, fleeing and falling down wounded before the Philistines; as *Peter Martyr* hath well observed upon *1 Sam. 31. 1*. So of that great Host of Assyrians, that joyned with their King in an unlawfull war against the Church and People of God, there were 185000. slaine in one night by an Angel, *2 King. 19:35*. To passe by all other examples of the severity of God in this kinde, that is most worthy consideration, which is recorded, *2 Chron. 24*. It is said, ver. 17. *That after the death of Jehoiada, the Princes of Iuda came and did reverence unto the King, and that the King hearkened to them*. Not long after, *They conspired together against Zachariah, a faithfull Prophet of the Lord, for dealing faithfully with them, and at the Kings commandement, stoned him with stones in the Court of the house of the Lord, ver. 21*. But (saith the Story, ver. 23.) *it came to passe at the end of the yeare, that the host of Syria came up against him: and they came to Iuda and Ierusalem, and destroyed all the Princes of the People from among the People, &c.* The just revenging hand of God, singling out from amongst many thousands, those persons by name, who had obeyed the King in a way of unrighteousnesse, though they were the chiefeft and greatest of them, and in that respect (in all likelihood) kept furthest off from the danger, and had more outward provision for their safety, then others.

S. (And lastly for this) If this liberty we speak of, of examining the commands of Kings and other Superiours, were granted unto, and used by those that are in subjection, it would not devert or bereave Kings or Rulers of any obedience at all, that were worth the having or receiving from men, or that were truly honourable or safe for them to receive. All that in reason it could be conceived to doe in this kinde, is to prevent and cut off all such obedience from Kings, which would endanger their cutting off, and their States and Kingdomes with them. If this liberty, or duty rather, of examining the Commands of Superiours, had been preached and pressed upon the consciences of men with that authority and power, which the truth and high concernment of it will beare, or rather (indeed) required, those crownes might have flourished upon the heads of Kings, which now begin to droope and languish; and those Nations enjoyed abundance of peace under them, the foundations of whose safety are now shaken. *Ephraim is oppressed and broken in judgement, because he willingly followed the commandement, viz. of King Jeroboam, who commanded the worshipping of the golden Calf. Hos. 5. 11*. Here is the fruit of the forwardnesse of a Nation to obey and comply with an Idolatrous King, even to be oppressed and broken

ken in judgement, i. Not only to be sorely afflicted; but utterly ruined and destroyed, and that in a course of iustice, and of the righteous proceedings of God against them. In this cup of trembling and astonishment which they were compelled to drink from the hand of God, there was none other ingredient, but their own wayes; and that which it seemes was predominant in the mixture, was their forwardnesse to side with their King, in that false Religion and worship which he maintained. And for the ruine and destruction of *Jeroboam* himselfe and his house, there is much considerable from the pen of the H. Ghost, that it is not ascribed so much to his sin & wickedness in commanding Idolatry, as to the sin & wickedness of the people in obeying. *And this thing* (saith the history, speaking of *Jeroboam's* Calfe, and command given to the people to worship them, 1 *King* 12. 30) *turned to sin*, meaning to a provocation of a very high nature, to such a sin, which even rooted out and destroyed the house of *Jeroboam* from the face of the earth. Cap. 13. 34. But how, or by what meanes did *Jeroboam's* Calves and Idolatrous commands concerning them, turne to such a sin or provocation, as was his ruine? The Holy Ghost ascribes this to the obedience of the People in this behalfe: *And this thing turned to sin: for the people went to worship before the one, even unto Dan*. Clearly implying, that that sin which was the ruine and rooting out of *Jeroboam* and his house, was not so much his wicked and Idolatrous command, considered simply and in it selfe, but as it found obedience and subiection in the people. The people in true accompt, who magnified *Jeroboam* in his commands, above God in his, were they that ruined both *Jeroboam* and his house. And generally, all that Kings and Princes gaine, by an unlawfull subiection and obedience from their People, is little else but the kindling of the fire of Gods iealousie against them: *I am the Lord* (saith God, *Esa* 42. 8.) *this is my Name: and my glory will not I give to another*, i. I will not suffer it to be given to, nor to be received by another; I will sell it deare to him that shall own it, and will recover it out of his ruine. We know *Herod* was smitten by an Angell from heaven, and soon cast up that morfell of divine honour which he had swallowed, by a miserable, shameful, and loathsome death. As those that make Images of wood, stone, silver, gold, or the like, to be adored and worshipped, doe the greatest injury that may be to those poore innocent creatures; they expose them to the fury and iealousie of God, whereby they commonly suffer a dissolution of their being before their time, as the brasie whereof the brazen Serpent was made, did, being broken all to pieces, when incense was once offered unto it; 2 *King* 18. 4. and the gold whereof *Aarons* Calfe was made, being burnt in the fire, and stamped and ground small, even to very dust, and this also cast into the river, *Deut* 9. 21. So they that will deuest the great God of heaven and earth,

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to cloath Kings and Princes, or whomsoever, with the spoiles of his Name, as all those doe, who obey them with disobedience unto God, as in one sense they make them gods, so in another, by making them gods, they make them indeed more men then they were, more obnoxious to his displeasure, who hath the command of their life and breath. Consider that passage (to omit many others of like importance) which you shall finde, *Esa. I. 31. And the strong, i. the Idoll, either because in the Idolaters conceit, it is strong like a god, or rather strong, in respect of the firmnesse and durableness of the matter of it, Shall be as Tow, and the maker thereof, as a Spark: they shall both burne together, and none shall quench them.* Marke well: How strong and durable soever the matter is, whereof the Idoll is made, whether it bee the best heart of Oake that can be gotten, or the hardest and firmest stone, silver, gold, or the like, or if there be any thing more durable, and more resisting corruption, then these, yet being made an Idoll, it becomes *as Tow*, i. of a very weake and perishable nature: *and the maker of it* (saith he) *shall be as a Sparke, viz. to set this Tow on fire*; meaning that he is the cause both why that good substance, which was made into an Idoll, perisheth so suddenly, and likewise of his owne perishing by the hand and iudgement of God. In like manner, when men or women shall make Idols of Kings and Princes, and great men, and fall downe before them, and worship them with divine worship, as all they in effect doe, who yeeld obedience unto them against God, what doe they else but shake the very foundations of their lives, and present beeings in the world, and call for the fire of Gods ieaousie from heaven to consume them: Whereas on the contrary, those that soberly, and out of conscience refuse to obey them upon such termes, I meane, against God, they doe them as good service, if they would please so to apprehend and interpret it, as *Mordcai* did to King *Ahasuerus*, when he revealed the Treason of the two Eunuchs against him. He that refuseth to obey a Superiour in an unlawfull command, giveth notice to him, that his foote is in a snare of death, and that his preservation stands in his desisting and repenting.

I shall mention only one obiedion more wherewith that unhappy learning of the contrary side, useth to be very importune, and to triumph much in it. The Christians in the primitive times submitted themselves with patience to those most uniuert and cruell commands of the heathen Emperors, when they sent their officers to put them in execution, and to take their lives from them: they never resisted, nor stood upon their guard, but tooke even death it selfe, yea, and many times torments worse then death, patiently. And whereas this might otherwise be sufficiently answered, that they made no resistance, because they were not able, they had no considerable strength

strength to make good any resistance; to take away this answer; They usually cite a place out of one of the Fathers, *Tertullian* by name, wherein he disclaims this ground of their patience in suffering, writing unto the States, or Senators of the Empire, affirming, that they had a considerable party of Christians in their Dominions, whereby they were able to have made resistance against them.

Because this objection is matter of so much confidence and triumph to the adversary, I shall desire leave to examine it the more thoroughly, and to search the bottome and foundations of it in my answer to it, I shall first speake to the testimony propounded, and consider the validitie or likelihood of the truth thereof; and secondly, (for argument sake) the truth of it being granted or supposed, we shall indeavour to shew of how little force or concernment it is, any wayes to disable the truth of that position we have in hand, which justifieth a resistance against the violent execution of any unjust command from Kings, in those that are assailed under pretence thereof; therefore as concerning the testimony of *Tertullian*, touching the sufficiency of strength the Christians in his time should have to resist the Emperour and all his power. I answer,

First, that this Father might easily be mistaken in taking the proportion, and making the estimate of the strength and power of Christians within the compass of the Roman Empire, in comparison of the strength of those that were ready to oppose them. This was no point of faith; nor of Christian Religion; and therefore a devout father might easily fall under a misprision herein. The common saying indeed is, that *unicuique in arte sua credendum*, i.e. every man is to be beleaved in his owne art or profession; but no rule of charitie or reason bindes us to believe another in any thing which belongs to the art or profession of another, and wherein himselfe is little versed or exercised. Now to weigh the strength of a Kingdom, State, or Empire, (as it were) in a ballance; and to make an estimate of, and compare together the power of severall parties or divisions of people in it with so much exactnesse, as to determine which is the stronger, and which the weaker, belongs to the profession and employments of a States-man, nor of a Divine, or minister of the Gospel, of one that lies at the sterne of the empire, not of one whose heart, and time, and strength are taken up with the studie of the mysteries of heaven, yet for a States-man himselfe to be able upon sufficient grounds, precisely to determine such differences as we speake of, I meane betwene the strength and strength of different parties in a State, where there is any neerenesse or appearance of an equality, will require both double diligence and treble sufficiency in him otherwise.

Sic enim & hostes externos, non tantum vindices occultos, agere vellemus, deesset nobis via numerorum & copiarum?

— Externi sumus, & vestra omnia implevimus, ubi, insulas, castris, &c.

— Cui bello non idonei, non proprii sufficimus, &c. Tertul. Apolog. Cap. 37.

Secondly

2. How easily might he mistake and miscarry in a matter quite besides his profession and course, who not long after miscarry'd so grievously in his owne, as to turne *Montanist*, who called himselfe the Holy Ghost, and to approve of the dreames and furious fancies of those two vile women, *Maximilla* and *Prisca* (*Montanus* his wicked associates) for true prophecies. Yea stay'd not here neither, but joyned himselfe with those Heretiques called *Cataphryges*, who condemn'd second marriages as adulterous and prohibited by God: besides divers other misprisions in his owne profession, which would take up too much time to insist particularly upon: a memorable example and warning (as it were) from heaven, how unsafe and dangerous it is to build upon the authority of men.

3. It is well observed by one, that there is an apineffe and pronesse of inclination in much devotion, in persons devoutly given: to over-value the workes and piety of other men. Now this Father out of such a principle or inclination as this is, desirous to extoll and magnifie the patience of Christians, might easily draw in such a circumstance as this for such a purpose; upon very weake and slender grounds for it.

4. It is generally observed and knowne by the writings and records of these times, that even in the pious and Orthodox Fathers themselves there were some touches and streines, some *fibre* of that roote of bitterness which afterwards grew ranke, and flourished above measure in the times of Popery, yea and brought forth fruit abundantly unto death. I meane, an inclination to credit and countenance their Religion in the sight of the heathen and the world about them, by very slender reports and relations of things, as of Miracles, Visions, strange accidents, &c. which are generally rejected, as fabulous and false, by the sounder and more considerate knowledge of these latter dayes.

5. Suppose there might be considerable numbers of men of the Christian party in the Empire (though to me it is one of the things I least beleieve) to withstand the heathen party therein, yet doubtesse these were kept under, as the Israelites were in Egypt, when they began to multiply. It is no wayes likely, that if they were any wayes formidable for their numbers, that they should be suffered to have any proportion of armes or meanes, either of offence or defence, in case they were assaulted. It being contrary to all reason and rule of State, to suffer a party of an opposite Religion to the State, and worshipping another God then the State allowed, growing to any considerable numbers within them, to have farther any such proportion or quantity of weapons, armes, or meanes in any kinde, whereby they might endanger and become formidable to the State. Now then grasping that which this Father spake concerning the numbers of Christians amongst the heathens,

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that they had number for number, man for man, and in this respect might seeme to ballance them, and be able enough to resist them; yet wanting armes and other meanes of defence, wherewith it cannot be conceived but that the aduersary party abounded, it had been in vaine for them to have made resistance when violence was offered unto them. And thus much for the first part of my Answer, to shew the questionableness, or rather indeed the great unlikelihood of the truth of that testimony, which is brought to support the objection propounded, which otherwise would fall to the ground of it selfe.

I goe on to the second part of my Answer, which is to prove and to shew, that though the testimony be admitted for truth, yet the objection will not reach the question, or case in hand.

Therefore suppose we the Father that spake as we have heard, *viz.* That the Christians under the Heathen Emperours should be able enough to have defended themselves, yea to have opposed the Emperour himselfe with his party, spake nothing herein but the truth; yet it doth not follow, that all those of his profession, I meane all the Christians that were scattered up and downe the face of the Empire should have the same apprehensions with him herein, should thinke themselves strong enough to resist their adversaries, in case they were opposed. Those particular persons that were called out here and there, some after others, to suffer, might very probably, yea, could not lightly but conceive and thinke, that if they should have made any resistance against them that came to lay violent hands upon them, and to put them to death, they should have but enraged their malice against them the more, and so have encreased their own torments: yea, and happily have provoked the Heathen party, to rage so much the more against their Christian Brethren, who yet remained amongst them. So that in those that were called to suffer, it had been both want of wisdom, in respect of themselves, and of charitie in respect of others, if they should have made the least resistance against those unjust and bloody officers, that were sent against them to take away their lives.

If it be here replied and said; yea but the whole body and partie of Christians throughout the Empire, having sufficient strength might have agreed to have risen up at once, and have suppressed their adversaries, if they had Judged it lawfull.

To this, Answer hath in part been made already: as first, that it is no waies probable that they had any sufficiencie of strength, no not of men, to have made good such an attempt, much lesse that they had any competent provision of meanes otherwise, which had been requisite therunto.

Secondly, that though it should be granted, that they had a sufficiencie of strength both wayes, yet is it no wayes necessary that therefore they should

2 Sam. 17.
14.

all be of the same minde and judgement touching this sufficiency; that they should all be perswaded that their party were strong enough to deale with their adversaries. We know that many attempts, projects, and undertakings which have been in treaty and agitation, have been deserted and laid aside, only through the different judgements and apprehensions of those that were concerned, and to have been engaged therein, touching the expedience or feaceablenesse of them. As that project of *Achitophel* for the immediate and close following of *David*, was deserted by *Abfalon*, and his party, and not put in execution, because of the different advise which *Hushai* the Archite gave. A late instance hereof we had likewise amongst our selves: that dangerous designe of bringing up the Army out of the North against the Parliament, proved abortive, the execution of it never seeing the light of the Sun, through the different opinions of those that were, & were to have been in speciall manner concerned therein; some conceiving it to have been a project deserving the name of *none such*; others no wayes daring to adventure themselves, their lives, and fortunes, nor some (perhaps) their consciences, upon it. In like manner for the Christians living within the Romane Empire, to have made head and risen up against the maine body and State of the Empire to suppress them, had been an enterprise of that dangerous and grievous consequence, in case it had miscarried; especially the grounds of the successe of it being so uncertaine and weake as they were, that it hath not the least appearance or shew of likelihood, that ever it should be generally consented unto by the whole society of the Christians; without which there was no attempting the putting of it into execution.

To this may be added,

3. That suppose the Christians wee spake of had been generally confident of their strength and had made little question but that they might have carried it against the Emperor and his; yet having no invitation, countenance or command from any Authoritie, rule, or lawfull power in the Empire to attempt any such thing, their case was farre differing from ours who are invited, countenanced, encouraged, and some waies commanded by as great and as lawfull an Authority as this state hath any, to doe what you have been exhorted to doe in opposing the rage and violence of that malignant and blood-thirsty generation, who having stollen away the heart of the King, make use of his name to make havock and spoile of your Lawes, Liberties, Estates, Lives, Religion, yea of the Peace, Honour, and safety of the whole Kingdome. It is the expresse command and ordinance of God that inferiour Magistrates, and Rulers should be obeyed as well as Kings, as we observed formerly out of that of *Peter*, 2 *Pet.* 2. 13, 14. *Therefore submit your selves unto every, or all manner of ordinance of man, for the*

the Lords sake, whether it be unto the King as unto the Superiour, or unto Governours, as those that are sent of him, for the punishment of evill-doers, &c. So that inferiour Governours are by the expresse Commandement of God to be obeyed, as well as the Superiour. Now then put the case, that the inferiour Governour requires that which is only honest, agreeable to the Laws of God and of Nature, as, *viz.* that we should doe our best to defend our selves against those that contrary to all Law and conscience assault us; the superiour, that which is contrary to both, *viz.* to sit still whilest our Lawes, Liberties, Estates, Lives, friends, godly Magistrates, and Religion it selfe, are indangered, and ready to be taken from us; the question in this case, whether we are to obey the inferiour or superiour Authority; (the command of God indifferently extending it for obedience unto either, in things that are lawfull) is easily resolved, except men will complaine and say it is darke at noone day. When it shall be substantially proved unto us, that an unlawfull command from a superiour Magistrate, dissolves and makes void that commandement of God, whereby we stand bound to obey the inferiour, in that which is lawfull; We may then have cause to make a demurre touching the goodnesse of the cause; but till then we may be bold to say, it is day, when the Sun shineth. This then is a difference very considerable, between the case of primitive Christians, and ours, in the point in hand, supposing they had power to defend themselves against the persecuting agents and instruments of the Emperour, yet had they not any countenance or command from any Authority in that State to doe it, which we have in ours.

4. Still supposing (that which yet is never to be granted, till it be better proved) that the Primitive Christians we spake of, had a sufficiency of power, to have defended themselves against the persecuting Emperours, and did it not, yet there may be this reason given, why they should rather patiently suffer, than make resistance, because whilest they were yet heathen and unconverted to the Christian Faith, they consented to that power or authority in the Emperour, whereby he made those bloody Edicts for the persecuting and murdering of poore Christians. Now it had been a very unreasonable thing and justly offensive, both in the eyes of God and men, if the same persons who had established a power or authority in the hand of a Ruler, should have resisted or opposed him, or his Agents and Ministers in the execution of it. A servant of God, *though he swears or bargaines to his own hurt*, yet must he *not change*, as you have it, *Psal. 15. 4.* But wee are under no such ingagements, or bands, and therefore have a liberty which they had not: For though a mans consent to an unlawfull power, be in absolute and simple consideration a meere nullity, and such a power never the

more lawfullized thereby ; yet by all rules of reason and equity, such a consent ought to be a bar against him that hath given it, that he shall not, for any carnall benefit or advantage, breake out against him that exerciseth this power by vertue of such consent, meerly for such exercise sake.

5. Be it granted that the Christian party in the Romane Empire was very great (as is pretended) yet could it in no sence be called or looked upon as the whole State or body of the Empire, as the Parliamentary Assembly is amongst us. This in a representative and legall consideration, is the whole body of the Nation, and of all the persons in it, having the same power and authority by Law, and in conscience too, to do every whit as much in every respect, as the whole Nation, and all the particular persons therein could have, if they were met together. Now that may be lawfull for an entire body or society of persons to doe, which may not be lawfull for a part, or some few of the society, save only in conjunction with the whole. The Parliament (we know) being interpretatively, and in consideration of Law, the whole body of the Kingdome, hath a lawfull power, both to doe and command many things, which a far greater part or number of men in the Kingdome, have not ; no, all the Kingdome besides hath no such power, as they : and many things may be done very lawfully, and with a good conscience, by vertue of their appointment and command, which could not be done upon any such termes without it, though a thousand times more men or persons then they are, should command them.

6. Supposing they had such a power as we have oft supposed (but never granted positively) and that it was lawfull for them to have made resistance accordingly, yet may God by way of speciall dispensation, and for very great and considerable ends of his, hide this liberty we speake of from their eyes ; that they should not see it to make use of. Wee know there were many in the Apostles time, who *eat herbs*, when as yet it was as lawfull for them, in respect of any command of God to the contrary, to have eaten flesh ; but yet they did better to content themselves with herbs, when God had not revealed and cleared up this liberty unto them. And yet they did as well as they too, who seeing their liberty in this kinde by the cleare light of the Gospell, did take it, and eate flesh. Consider that passage of the Apostle, Rom. 14. 6. *He that observeth a day, observeth it unto the Lord : and he that observeth not a day, observeth it not unto the Lord. He that eateth, eateth unto the Lord : for he giveth God thanks : and he that eateth not, eateth not unto the Lord, and giveth God thanks.* Whereby it is evident that the forbearance of some actions by some men, wherein they approve themselves unto God, doth not at all prejudice or gainsay the like acceptation of others in their doing them : yea that some men may be bound in conscience to forbear

that,

that, which another with a good conscience may doe. And this doubtlesse is (if the testimony of *Tertullian* mentioned be true) the case betweene those Primitive Christians, and Christians in these dayes. They might out of tendernesse of conscience, and out of an apprehension of some unlawfulnessse in it, forbear to vindicate themselves against those bloody butchers, that were set on worke by the Emperours to destroy them: and yet Christians in these dayes, seeing their liberty in this kinde, may as lawfully resist those that shall come against them in the like manner, as the other forbore it.

If it be here objected and said that it is no wayes like that the Church of God should generally be ignorant of such a libertie as wee speake of and challenge, if there were any such liberty indeed; is it credible that God should hide such a point of truth as this from them all?

I answer first, It is not necessary to suppose that it should bee hid from them all without exception: it is sufficient for our purpose if it were hid from their teachers, and those that were leaders to the rest, upon whose judgement (in things of this nature) the generality of people then much depended. But secondly, if there were many ministers of the Gospell and teachers, even in the Apostles times themselves, that were ignorant of that liberty which the Gospell brought with it to the world, for the eating of flesh, the non-observation of dayes and of circumcision, &c. or at least were so farre ignorant, that they were not able to informe and satisfie the generall sort of Christians therein, it may very well be conceived, that some hundreds of yeares after, when the light began to darken and wax dim (in comparifon) they might now be generally ignorant of such a point of liberty as this we now speake of, at least so farre ignorant, as not to be able to satisfie the generalitie of their people therein. Especially if we consider,

Thirdly, that from the dayes of the Apostles, untill their numbers and strength were raised and increased to the supposed pitch of a sufficiencie to resist (which was not lesse then neere 200. yeares) there was no occasion, of studying, or looking into the point: they had beene in never the better case, whether they had had that liberty we speake of or no; and therefore it is no marvaile if they neglected the searching after it. And when cases of conscience (as this was) he unstudied and uninquired into, neither is it any marvaile if the resolution or state of the truth in them, bee not generally knowne.

Fourthly, that Spirit of courage, patience and constancy, which God poured out abundantly upon his Church & servants in those times, whereby they were so strengthened and encouraged to suffer, that manyrdomes seemed a desirable thing unto them, might be a speciall reason and meanes to take them off from inquiring into, or so much as thinking what their

lawfull liberty might be in the case we speake of. Men that have a full estate in faire rents, as much as they can well spend, and as their heart desireth, are not like, have no occasion to busie themselves in studying the case of usury, as whether it be lawfull to take increase for the lene of mony, or no; which he that hath his estate in mony, hath. Whilst the *Israelites* were fed by God in an extraordinary way by Manna from heaven, there was no necessitie or occasion for them to plough and sow. So whilst Christians were furnished with an extraordinary strength from heaven, to offer themselves up in martyrdom, their edge must needs be taken off hereby, as from seeking meanes to escape it, so from studying cases and questions about the lawfulness of escaping.

Fifthly, whilst there lay a confessed necessity of suffering upon Christians, *i.e.* till the supposed strength of resistance came to them (which as was noted before, could not be much lesse then 200. yeares) Martyrdom was so extolled and magnified by the generall acclamations of the ministers, and continuall paegyrics, and orations made in praise thereof, that it is like no man would for a long time be endured, that should teach any doctrine that might any wayes seeme to take men off from the desire thereof. As there are many doctrines and points of Religion amongst our selves that have beene a long time taught with so high an hand, and generally received with so full an applause, that it is not safe for any man to appeare so much as in a seeming opposition to them, (though with never so much modestie and tendernes.) But,

Sixtly (and lastly for this) whether God was pleased to make use of one or both of their particulars last mentioned, or any other like unto them, as a meanes to hide that libertie of resistance wee speake of from the eyes of the primitive Christians, or no; certaine it is, that the frame and tenour of his after dispensations, did require, that such a libertie should be hid from them; or at least that they should not make use of it; as on the contrary, the nature and purport of those dispensations which God hath now in hand, requires that this libertie should be manifested and made knowne unto Christians. We know that according to the counsell and foreknowledge of God, Antichrist was then to come into the world: as now wee know that he is about to be destroyed and cast out of the world. Now this is a generall rule, looke what truthees were necessary to be shut up and concealed from the Churches of Christ, that Antichrist might passe by, and get up into his throane; the discovery and letting out of the same into the world, are necessary for his pulling downe. For certaine it is, that Antichrist could never have gotten up into that throane, whereon hee yer sits and shewes himselfe in his sacrilegious glory, had not God by speciall dispensation

penſation ſuffered him to make many truths his footſtoole. If all truths had bene clearly taught in the Church of Chriſt, and accordingly received and beleevd, it had bene impoſſible that ever ſuch a monſter ſhould have gotten into the temple of God, that ſhould *exalt himſelfe above all that which is called God*. But God cauſing a dead ſleepe (as it were) to fall upon thoſe truths, which ſhould in ſpeciall manner have oppoſed him, hee had the opportunity without much contradiction or noyſe to ſteale and convey himſelfe into that *Cathedram peſtilentie*, that chaire of papall ſtate, which yet he poſſeſſeth. Now amongſt many other truths that were of neceſſity to be laid aſleepe, for the paſſing of this beaſt unto his great power and authority, and for the maintayning and ſafe-guarding of him in the poſſeſſion hereof, this is one of ſpeciall conſideration; that Chriſtians may lawfully in a lawfull way, ſtand up to defend themſelves, in caſe they be able, againſt any unlawfull aſſaults; by what aſſailants, or by what pretended Authoritie ſoever made upon them. For had this opinion bene timeouſly enough, and ſubſtancially taught in the Church, it would certainly have cauſed an abortion in Antichriſts birth, and ſo have diſappointed the divell of his firſt-borne. Had not the ſpirits, and judgements, and conſciences of men bene as it were cowed and marvellouſly imbaſed and kept under, (and ſo prepared for Antichriſts lure) by doctrines and tenents, exceſſively advancing the power of ſuperiours, over inferiours, and binding Iron yokes and heavy burthens upon thoſe that were in ſubjection, doubtleſſe they would never have bowed downe their backs ſo low as to let ſuch a beaſt-goe over them, they would never reſigned up their judgements and conſciences into the hand of ſuch a ſpirituell tyrant as he. So that you ſee, there was a ſpeciall neceſſitie for the letting of Antichriſt into the world, yea and for the continuance of him in his Throne, that no ſuch opinion as this which wee ſpeake of, whether truth or untruth ſhould be taught and beleevd; I meane, which vindicateth and maintaineth, the juſt rights, and liberties, and priviledges of thoſe that under authority, and ſubjection unto others.

Whereas, now on the contrary, that time of Gods preordination and purpoſe, for the downefall of Antichriſt, drawing neere, there is a kinde of neceſſitie, that thoſe truths, which have ſlept for many yeares, ſhould now be awakened: and particularly that God ſhould reveale and diſcover unto his faithfull miniſters, and other his ſervants the juſt bounds and limits of Authoritie, and power, and conſequently the juſt and full extent of the lawfull liberties of thoſe that live in ſubjection. Evident it is, that they are the commonaltie of Chriſtians, I meane Chriſtians of ordinary ranke and qualitie that ſhall be moſt active, and have the principall hand in executing the judgements of God upon the Whore, Conſider that place, *Revel. 18. 4, 5, 6.*

And

Anti-Cavalierisme.

And I heard another voice from heaven say, *goe out of her my people, that ye be not partakers in her sinnes, and that ye receive not of her plagues. For her sins are come up unto heaven, and God hath remembered her iniquities. Reward her even as she hath rewarded you, and give her double according to her workes, and in the cup that she hath filled to you, fill her the double.* Now that this service shall be performed unto God by them (Christians I mean of under rank and qualitie) contrary to the will, desires, or commands of those Kings and Princes under whom they live, it appeares by that which immediatly followes, *verse 9. And the Kings of the earth shall bewaile her and lament for her, which have committed fornication and lived in pleasure with her, when they shall see the smoake of her burning.* It is evident that the people of God spoken of before, were subiects to these Kings, that should bewaile the whore in her ruine; for they are such as come out of *Babylon*; which could not be, except they had lived under those Kings that were Babylonish, and had given their Kingdomes to the whore, and by whom Babylonisme had been countenanced and set up. And that these (or at least the greatest part of them) should no wayes consent to the destruction of the whore by their subiects, it is evident by this; they should *waille and lament over her*, when she is destroyed. As for that which is found in the former Chapter concerning the 10. Kings (*Rev. 17. 17.*) *Into whose heart God hath put it to give their Kingdomes or power to the Beast*, where it is said, *that these should hate the Whore and make her desolate, and naked, and eat her flesh, and burne her with fire*; I conceive this is not meant of the persons of Kings, but of their States and Kingdomes, *i.e.* of the generalitie of their people under them.

1. The expression, will fairely, and with full consonance to the Scripture language elsewhere, carry this sense and interpretation; the bodies of States or Kingdomes indefinitely taken and considered, being usually signified by their heads, as Dukedomes by Dukes, Kingdomes by Kings, &c. as wee have had occasion formerly to observe more at large when we produced severall instances from the Scriptures of this kind of phrase. I shall (for the present) be your remembrancer onely of that one, *Dan. 7. 17.* with verse 23. where verse the 17. *the foure great Beasts* are said to be *foure Kings that shall arise out of the earth*. Yet verse 23. it is said that *the fourth Beast shall be the fourth Kingdome upon earth, which shall be diverse from all Kingdomes, i.e.* all the other three Kingdomes formerly expressed by three Kings. I could direct you to severall other Texts of Scripture where the same manner of speaking is found; but that I hasten. 2. If we take the word, Kings, properly, *i.e.* precisely for the persons that are the heads and chiefe rulers of Kingdomes, in that Scripture, and will say, that these *shall hate the whore and make her desolate, &c.* I apprehend no possibility (for the present) of reconciling

reconciling this place, with that other mentioned, Rev. 18.9. Where it is said, that the Kings of the earth who have committed fornication and lived deliciously with her, shall bewaile her, and lament for her, When they shall see the smoke of her burning. Certainly they that shall hate her, and helpe to make her desolate, and to burne her with fire, will not bewaile her, nor lament over her, after such a manner, as is farther expressed in that which followes in this Chapter. As for that Exposition, which by the Kings of the earth that should bewaile and lament over the Whore in her burning, understandeth Cardinals, Arch-Bishops, Bishops, &c. who in their port and pompe are as Kings, it seemeth not probable; I rather conceive these to be the Merchants of the earth that should weepe and waile over her, because no man buyeth their wares any more, vers. 11. and who are said to have waxen rich, by that long trade and trafique they had had with the world, in those Babilonish commodities. Therefore they are the ten Kingdomes indefinitely considered, i. persons living within the ten Kingdomes, not the ten Kings personally and properly taken, that shall hate the Whore and make her desolate, and burne her flesh with fire. Now this promise and prediction of God concerning the destruction of the Whore by Christians of inferiour ranke and qualitie, can hardly be conceived however it should be fulfilled or take place, except the judgements and consciences of men should be losed and set at libertie from the bands and fetters of those enslaving Doctrines and apprehensions, wherewith they had beene formerly oppressed and made servile above measure, to those that were in place and authority over them. Thus then we see a ground and reason fully satisfactory, both how and why the Christians in the Primitive times, whilst Antichrist was in comming, might well be ignorant of that liberty, the knowledge whereof would have kept him from his Throne; and also why that liberty should now be revealed by God and taught unto his people; the ignorance whereof would still keepe and continue him upon his Throne, when Gods Will and Pleasure is that he shall be throwne downe. And this for Answer to the Objection last propounded; and for the sixth Particular, by way of Answer to the maine Objection. But,

7. (And lastly) whatsoever the credit or authority of *Tertullian* may be for the strength of Christians in Primitive times, to make resistance against their enemies; & how justifiable, or commendable soever the patience & subjection of these Christians in suffering as they did, may be by some conceived to be, supposing they had such a power to have defended themselves, as is supposed; yet most certaine it is, that as well the authority of the one as the submission of the other, yea and both together, being both Apocriphall, are

too light to weigh against the authority of the practice of that great Prophet *Elisha*, who made resistance against the Kings Messenger, that was sent against him to take away his head (as we instanced to you in the former part of this Discourse) as also against *David*, a man after Gods own heart, who being but a private man, strengthened himselfe as well as hee could, both with men and armes, yea and with *Goliaths* sword to boote, to defend himselfe against the unjust and bloody persecution of *Saul*; both which examples (besides others of like importance) are Canonically. *Elisha* must not be censured as an evill-doer, nor *David* condemned for a Traytor, or Rebell, either because *Tertullian* saith, that there were Christians enough in the Romane Empire, to make their party good against the Emperour & his wicked instruments, nor yet because these Christians did not stand up in their owne defence, having sufficiency of strength to have done it. Thus we see there is nothing at all in the patience or submission of the primitive Christians, so much urged and insisted upon, to discountenance that cause and service, wherein your best concurrence hath been desired, of any consideration or concernment that way. To rise up in your owne defence, in the defence of your lives, your estates, your liberties, your wives, your children, your friends, your lawes, your religion, against those, who without any lawfull Authority or Warrant either of God or men, are risen up with all their might, and all their power to make havock, and spoile, and ruine of all, is no wayes offensive either in the sight of God, or reasonable men.

And (to conclude) if any man be afraid that Martyrdome should suffer by this, as either that the glory hereof should be eclipsed, or that all opportunities of expressing our selves unto God and Jesus Christ in such a service, should be cut off, and taken away by such an opinion. I answer, No: The glory and praise of Martyrdome will remaine as entire, with this Doctrine, as without it, and the opportunities of shewing our selves in our love and faithfulness unto Christ in such a service, will no wayes be diminished hereby.

For first, the glory and praise of Martyrdome or suffering for Christ, doth not consist in lying down, and suffering proud and wicked men to ride over our heads, in sitting still whilest our estates, liberties, wives, children, friends, are ruined and destroyed before our faces, when God puts an opportunity into our hand to defend them; the name and Gospell of Jesus Christ would rather suffer losse by such a patience as this, then any wayes gaine; it were more Insidell-like, then Christian, not to make the best provision we can, for the safety of those that are so neare to us in such a case. But the grace and glory of Martyrdome lyeth in this; First, when a man is resolved to professe the name, and faith of Christ, what danger soever hee incurs

incurs, what losse soever he sustaines, or is like to sustaine by it. Secondly, When it comes to the necessity of suffering, that he baulkes not, nor faultereth with Christ: that he is not any wayes ashamed of him, or any of his words, or wayes. Thirdly, When a man disdeignes deliverance upon any base termes, or by unworthy meanes, that scorneth to fly away for the enjoyment of any rest, except it be with the wings of a Dove (the Scripture Embleme of innocency) *which is covered with silver wings (as David speakes) and her feathers like yellow gold.* It is ever honourable to fly with such wings as these.

Fourthly (and lastly) when God doth not open a doore of lawfull escape unto him, either by flight or otherwise, but hedgeth him up (as it were) with thornes into the hand of the persecutor, that he patiently and with meeknesse and composednesse of spirit, without any breakings out in one kinde or other, without any expression of discontent either against God or man, submitteth himselfe unto the stroke, in what kinde soever it falls upon him.

And secondly, for opportunities of Martyrdome, of suffering for Christ, and that in numbers more then we desire, they will not be wanting, though we shall not suffer every base Cavalier, that saith he is for the King to cut our throats, or to plunder our Cities, Townes, or Houses, to commit outrages and insolencies upon Wives, Children, Friends, &c.

1. It is a suffering for Christ (and so a degree or kinde of Martyrdome) to suffer those things which we doe, in feares, in dangers, in distractions, in runnings, or removings up and downe, in disappointments of our affaires, in the losse, expence, or forbearance of our estates, by those men of *Belial*, that are as thornes in our eyes, and scourges in our sides, only or chiefly because we will be that in open and constant profession, which by the grace of God we are inwardly and in the truth of our soules; because we will not prostitute our consciences to the lusts of their Father the devill, we will not give the right hand of fellowship to them, in those desperate courses of wickednesse and prophannesse wherein they are engaged, and wherein (it seemes) they meane to weary, yea and weare themselves out before they will give over.

2. We lie open to the hatred and malice, to the mockings and scoffings, to the rayling and revilings, to the slanders and lyings of the whole malignant party round about us; and that because we hold forth the Lord Jesus Christ in his holinesse and purity, in his power and authority over the world, in his truth, and faithfulnessse, in his mercy, and goodnessse, in his glory, and Majesty, in our lives, and conversations. And this is a Martyrdome too, or suffering for Christ.

3. (And lastly) we know not how soon or suddenly we may be called out by God, to suffer even a perfect and compleate Martyrdome indeed, to

lay downe our lives for Christ; when God will hedge up every way of escape against us with thornes, and leave us in *Peters* streights, *To stretch forth our hands, and have another to gird us, and to lead us whither we would not.* John 21. 18. So that we shall leave occasions, and opportunities enough, even as many as God himselfe ever made, for the expressing of our love and faithfulness unto Christ and his Gospell in wayes of suffering, though we stand up like men, and quit our selves with all our might, and all our strength, against those assacinates, and sworne Sword-men of the devill, who have conspired the death and ruine of all that feareth God in the Land.

Only for a close of all that I have to say in this point, let me adde this one thing by way of caution, that opportunities of suffering Martyrdome will not alwayes continue in the Church for the servants of God: yea, the time draweth neare, when they shall cease and be no more. The sad retinue of the first things, (as they are called *Rev.* 20. 4) which hath been a long time in passing by, even for many Generations, is now almost quite passed; God is now bringing up the ree of this host of sorrowes, and when this is passed, he will turne the wheele of his providence and dispensations, between his own Church, and the Synagogue of Sathan. That side which hath been down hitherto, shall be upward, and that which hath been above, shall be below: Now the devils Saints, and the Children of the Whore, even all

fearfull and unbelieving ones, and abominable, and murderers, and Whoremongers, and Sorcerers, and all lyars, they shall be called to their Martyrdome, and the Saints of the most high shall give them double, of their owne cup. **They that led into captivity hitherto, shall now goe into captivity themselves: and they that killed with the sword hitherto, shall now be killed with the sword themselves.* And who they are that shall now lead into captivity, and slay with the sword, you may informe your selves, *Rev.* 18. 6, 7. *Reward her, even as she hath rewarded you: you, viz. in your Brethren, that have walked in the steps of the same faith and holinesse with you: And gave her double, &c. This is the honour which the Saints shall have, to execute the judgement that is written, upon the Whore.*

Another motive to strengthen your hand the same way, may be to consider, that as the cause recommended to you is every waies justifiable, so is it a matter of the highest & deepest concernment unto you to stand by it & advance it to the utmost you are able, yea (if it were possible) above & beyond what you are able to do. All your interests, relations, & concernments in this world are bound up in it: yea, it narrowly concernes you in relation to the world which is to come, your everlasting estate and condition is not lightly concerned in it. First, what have you in this world amongst all that which you call yours, any wayes deare or precious unto you, but that the

line:

line of this cause, whatsoever it proves, is like to be stretched upon it : the cause which is now depending and pleading between you and your adversaries, will certainly be either the rising or falling of it.

1. For your Estates, these are already designed, by your enemies, for a reward and recompence of their labour and travell in procuring your ruine. Your silver, and gold, your houses, and lands, with all your precious and pleasant things besides, must call you Masters no more, if you fall into the hands of these devourers. If they prevaile, they will be like a *sweeping raine* (as Solomon speakes) *that will leave no food*. You must looke for no other mercies from them, but those that are *cruell*; you heare daily from divers parts of the Land, of what spirit they are in this kinde : what spoyle and rapine they make of the precious substance of your Brethren, where they have opportunity to fall; notwithstanding they are not yet in a posture to their mindes, to follow this occupation of ruine and spoile, as they desire and hope to doe. They have a bridle of some feare in the jaws of their fury, they cannot stay by their work, they cannot gather in their harvest so cleane as they desire. But if they doe these things bring but yet in the valley, what will they doe, if they should make good the mountains? if they commit such insolencies as these in the day of their feares, what will they doe in the day of their power, if ever this Sun should arise upon them? I beseech you consider this, you that have lived at ease, and in all fulnesse hitherto, and have wanted nothing of all that your hearts could desire, to make your lives comfortable unto you; that have had food, and rayment, and lodging, and harbour, upon such termes, that your flesh it selfe, though apt enough to murmur and complaine, hath yet been ashamed to complaine of any want or scarcity in any kinde; tell me how, or what will you do in such a day, wherein your faire necks, that never had yoke upon them to this day, shall be wrung and galled, and torne with those Iron yokes, of poverty, nakednesse, hunger, cold, contempt, want of all things? Will not the dayes and yeares of your former plenty and fulnesse be seen upon you in abundance of sorrow and exremity? And is it not in vaine for you to thinke that this cup shall passe by you, that you drinke not of it, if ever it be in the power of those enemies of yours we speake of, to make you to drinke? Doublesse they must want of their will if you doe not drinke, yea and suck out the very dregs of it. Whereas on the contrary, if you shall only this one time make good your standings against them, and break this enterprize, as far as humane reason is able to judge, and according to the ordinary course of Gods admistration of things in the world, they are never like to rise up against you, nor to endanger the peace of your outward enjoyments the second time. If you will now be perswaded to give out your selves like men,

to advance the cause in hand, that which you doe is like to be a bulworke, and an impregnable defence for the time to come, to your possessions, and estates, against all violence and oppression of men in this kind.

2. For your liberties, this is another pretious possession of yours in the world. I speake here onely of your civill or politick libertie, which is of equall accommodation and desirablenesse (if not of superiour) with your estates: and this likewise will certainly be oppressed and seized upon, and turned into a miserable slavery and bondage, if that bloody generation shall carry the day against you, and make themselves Lords over you. That of *Peter*, 2 *Pet.* 2:19. is like to come upon you in this case: *of whomsoever a man is overcome, of the same he is brought into bondage.* It may be you are not generally so apprehensive and sensible of the pretiousnesse and sweetnesse of your liberties, as of your estates; you doe not place so much of your outward comfort and contentment in the one, as in the other. The reason whereof I conceive to be partly because wee are generally borne free, and therefore take no care or paines to come by it, whereas many are borne poore, and to inherit little but what they can get by the sweat of their browes: partly because libertie is as plentifull amongst us as silver was in *Solomons* dayes; which was therefore little esteemed because it was as plentifull as the stones in the streets, and as the Wild Figtrees that grew abundantly in the plaine; there is none amongst us but is as free as another; but there is great difference in respect of estate; partly also, because we see few in any suffering or hard condition, we heare few cries or complaints for want of liberty, whereas we both heare and see daily what hardship and things grievous to flesh and blood, are endured by many, both men, women and children, for want of meanes, and an outward estate. Haply for these and other reasons that might be given, our liberties are not so high prized with us as matter of estate is; but if we did judge righteous judgement (as our Saviour speakes) or if we had but the sensible advantages and quicknings to raise our thoughts and apprehensions concerning our liberties, which wee have in reference to our estates, and which many others in the world have, in reference to liberty it selfe; we would thinke our liberties every whit as worthy to be placed at our right hands, as our estates. I must not stand to discourse the benefit and sweetnesse of this blessing of libertie; concerning which, many great and excellent things might be spoken. I shall onely say this, that if we lived but a while in those States, where the poore subject is yoked with an Iron yoke of bondage, and bowes downe the backe, and groines under the heavy pressure of usurpation and tyrannie, as under the great Turke, or in the State of Persia; yea or in France it selfe (which is neere at hand) and did but observe the miserable and hard termes and conditions

conditions, that by reason of such slavery and bondage they live under, then a dram of that libertie which yet we enjoy, would be as pretious to us, as a drop of cold water would have beene to the rich man in hell, when he was so grievously tormented in those flames. Now then this is that which I hold forth unto you in this motive to be considered of, that if ever you shall suffer the hand of the Malignant partie, which is now up in rage, and great fury against you, to find their enterprise, if the day falls to be theirs, you must looke to be dealt withall in your liberty, as in your estates; there will no partialitie be shewne by these men betweene them, they that will not spare you in your estates, neither will they favour you in your liberties: they have bands, and chaines, and fetters already prepared for your hands and feet, and Irons that will enter into your soules. You must know that they are animated and acted against you, with the spirit of that fourth beast in *Daniel*, which was unlike unto all the others, very fearefull, whose teeth was of Iron, and his nayles of Brasse, which devoured, brake in pieces, and stamp the rest under his feet. They are of a Lordly, insolent, domineering and tyrannizing spirit, sporting themselves in their cruelties, and delighting to ride over the heads of men, that they can get under them. Therefore now consider (I beseech you) how intolerable and grievous a thing it is like to bee unto you to beare the yoke of that cruell bondage and slavery which these men have prepared for your neckes; to live by the lawes of their lusts and pleasures, to be at their arbitermments and wills in all things, to doe and to suffer, to have and to possesse as they shall appoint and thinke meet for you; how intollerable a condition (I say) this is like to prove unto you, who have beene free men and women all your dayes, and have had the disposall of your selves and of all your wayes, and of the good things that the providence of God hath cast in unto you upon your labours or otherwise. Oh you will finde the change very sharpe and terrible, beyond what I am able to expresse, or your selves for the present, able to apprehend. Whereas on the contrary, if you shall hold out this one impression and onset which they are now making upon you, and make good the ground you stand on against them; you shall breake their cords in sunder, and cast their bands from you for ever; you shall make such an intaylement of this pretious inheritance we speake of, your libertie to your children, and childrens children, that they shall never be able to cut off. If they be but now broken, they are not like ever to make themselves whole againe: if you will be perswaded to be men of wisdom once, you may be men of comfort and peace ever after.

3. For your wives and children, these (I make account) are another part of your pretious enjoyments in this world: But as for these, neither are they like
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to finde any better quarter in their kind from these bags of blood and baseness, then your liberties and estates in their kind. Nay as these are capable of the impressions of more of those vile affections which rage in these men, so are they like to suffer upon termes yet more grievous, even according to the utmost of their capacities in this kind: The rage of their lusts (I meane of many of them) is as barbarous and cruell, as the rage of their crueltie it selfe. And what measure you are to expect both in the one and in the other, in lust and crueltie towards these, your wives (I meane) and children; themselves have proclaimed in your eares aloud in those patternes and examples of this kinde, which in severall places of the land, they have set for themselves to follow in their future course; I presume you have heard of divers insolencies and outrages of abomination committed by them with an high hand, such as have made both your eares to tingle in the hearing. Therefore consider and weigh it well with your selves: put your hearts upon deepe and sad, and serious apprehensions of it, how grievous and heart-breaking and soule-cutting a sight it would be unto you to see the honour and chastitie of your wives, & daughters plundered by the barbarous lusts of those brutish men, who are ready to poure out their abominable filthynesse and uncleannesse where ever they be-come, and when they have done execution upon their honours, with the lusts of uncleannesse in the Front, to bring up the lusts of crueltie in the Reare, to doe the like execution upon their lives and blood. Assure your selves, that the divell hath the driving of them, and he will make them runne and keepe his pace, as far as ever the strength of any vilenesse and wickednesse in them will hold out. And so for your little ones that are not for their lusts: it is much to bee feared that in that respect, they will double their cruelties upon them, as you have heard (I presume) that their Brethren in *Ireland*, baptised into the same spirit of blood and abomination with them, have done. Oh, how can you beare the thoughts of such a day likely to come upon you, wherein your young children shall be taken by the hand of an inhumane monster, and dashed in peeces against the stones, or torne one limbe from another, or tossed upon the point of the Pike or Speare. Assure your selves that the day of all these astonishing things, and perhaps of things more intollerable and astonishing then these, is like to come upon you, except you will bee perswaded to redeeme it, and buy it off, at the rate of your utmost endeavours, and of all you are able to doe to prevent it, if God will vouchsafe the grace and mercy to you, to let you have it at any rate.

4. That honorable Senate of both Houses of Parliament, consisting of most of the worthies of the Land. (I meane for men of their ranke and qualitis) to whose unwearied labours, and diligence, and faithfulnessse, and zeale,

zeale and expence, under God, you and your whole Nation owe your lives & liberties, both spirituall and temporall, yea estates and all your sweet enjoyments hitherto; and in whose peace and preservation all you yet enjoy, as farre as reason is able to discern and judge, is bound up; (so that I may well reckon these amongst your temporall enjoyments) these are like to perish and to be cut off by the right hand of iniquitie, if that generation of men whose bloody cruelties you both have beene heretofore, and are now againe exhorted with all your might to oppose, shall ever get the upper hand. We know it is this assembly, that have stood by you and stucke close to your liberties, and the truth and purity of that Religion you profess; that are the bulwarke and defence against the furious impressions of those wicked ones, upon you, and all that is yours; And they know as much too, and looke upon them accordingly: they are they that have robbed these beares of their whelpes, that have shaken the foundation of Popery, Prelacy, and prophannesse in the Land; and that are at worke upon it night and day, to make it a land of righteousness, which is an element that these kinde of Creatures know not how to live in. And in this regard, these are the men of their rage and hatred above others; these are the mountaines that stand in their way; and what will they not doe, what will they not suffer to remove them, or cast them downe, and make them into a plaine? doubtlesse they are sicke, and long for their blood, as much as ever *David* longed for the waters of the well of *Bethleem*. And if they shall ever be but able to dissolve the power and proceedings of this Parliament now sitting, the way will be open and ready for them, either to stave off all Parliaments for the future, or (which is of more dangerous consequence of the two) to make them themselves: and so the Sunne of the glory and peace of this Nation is like to set upon it for ever. Therefore now consider (I beseech you) of how lamentable and unsupportable a consequence it would be, if this *Spring* should be troubled (as *Solomons* comparison is) if these righteous shall fall before these wicked ones; and Cavaliers Swords drinke Senators blood: And how would it be a blot upon you, and make your memoriall an infamy and reproach throughout all generations, if it should be said, that you sate still and did nothing, but keepe up your mony, while these men perished at your side, who had beene a guard and safety to you and to all that you had: yea that laboured and travailed with the honours and safetie of the whole Land, and were ready to cry out, and to have beene delivered, but that in the very breaking forth of the children, your covetousnesse, and your unfaithfulnesse, and remissenesse betrayed them into the hands of their enemies, who cruelly destroyed both Parents and Children at once. Not to feede your enemy when hee hungers, or when he is thirsty, not to give him drinke, is by the Holy Ghost himselfe in-

Anti-Cavalierisme.

terpreted ; to be a revenging your selves on him ; and withall to be a matter of high displeasure and offence unto God. I beseech you, if not to save the life of an enemy when it is in danger, nay if not to supplie such necessities of his, which yet perhaps doe not touch his life, be a sin of that provocation in the sight of God ; What sin will that be, or by what name shall it be called, or what shall the measure of the provocation of it in the eyes of God be, when men shall suffer the greatest and faithfullest freinds they have, that for a long time together have laboured for them in the very fire night and day, in the very midst of their sore conflicts and strivings with men, and that cheifely for their sakes, to perish by the hand of their enemies, when it was in their hand and power to relieve them ? Surely men must create a New Name, and God will create a new punishment or hell for such a sin.

5. (And lastly for matter of this worlds concernment) what doe you thinke of your lives themselves ; if those men of blood shall carry the day, and ever come to set up their banners amongst you ? Will they not be sold as cheap as Sparrows were amongst the Jewes, five for two farthings ? Nay, will they not be trodden down and trampled upon like clay and mire in the Streetes, by the foot of the pride, and rage, and insolency of these men ? Would not your flesh be as a feast of fat things unto them, and your blood as new Wine ? Or if they did spare your lives, would it not be only out of a desire and intent to adde unto your miseries, to gaine opportunity of inflicting many deaths upon you ? Perhaps they have learned a deliberate cruelty, from that bloody Emperour *Nero* : who when any person that was accused, and under the stroke and dint of his power, desired of him that he might be dispatched, and put to death, was wont to make answer, *Non ita secum in gratiam rediis* : .i. He was not yet so far friends with him, as to give him leave to die : he meant to have more satisfaction out of them, then so. So if these men give you your lives for a time, you must not looke to have them given you upon such termes, as God sometimes in common destructions gives his servants their lives : viz. *For a prey, or booty* : No, they will be given you only as meanes or engines wherewith to torment you. It may be they will desire to reserve and keep you alive, to make spectators of you, of all that bloody Tragedy they meane to act upon all that belongs to you, in setting your Houses, and Cities on fire, in taking away your goods, in offering villany to your wives, and your daughters, and then mangling and massacring them when they have done. And then when they have thoroughly scourged you with such scorpions as these, it is like they will deliver you into the hand of death. Certaine it is, that the spirit that works in these cursed children of disobedience which are now your adversaries, lusts not
only

onely to your temporall ruine and destruction, but to your everlasting ruine and destruction also, as farre as it knowes how to bee active in it. Our Saviour himselſe ſeemes to imply as much, *Matth. 10. 28.* where he commands us *not to feare thoſe which kill the body: but are not able to kill the ſoule*: as farre as they are able to goe in hatred and malice againſt the Saints, they doe goe, *they doe kill the body* (ſaith our Saviour) Hee doth not ſay, feare not thoſe that can kill the body, but, which *doe*, actually, frequently. and from time to time, *kill the body, but are not able to kill the ſoule*; doubtleſſe intimating, that if they were able, they would kill body and ſoule, and all. And ſomewhat more plainly (I conceive) *Joh. 10. and I give unto them eternall life, and they ſhall never periſh, neither ſhall any man plucke (or pull) them out of mine hand*; cleerely implying, that the divell and his instruments, wicked men, are ready to pull and tugge hard to get even his elect themſelves out of his hands, out of that hand of election and grace, which hee hath layd upon them, and whereby he holds them faſt. Thus the ſtory of the martyrs report, that when the Popiſh Prelates, and Priests were ready to have execution done npon that faithfull ſervant of God *John Huſſe*, they uſed theſe words, *Now wee commit thy ſoule unto the Divell*: And when *Hierom of Prague*, through long and grievous imprisonment grew very ſicke, and (as himſelfe thought) neere unto death, deſired that hee might have a confeſſor (being it ſeemes, conſciencious this way) the ſtory ſaith, that very hardly, and with great importunitie it could bee obteyned: which ſhewes, that it was griefe and torment to his enemies, that hee ſhould have any thing, that in their opinion might bee a meanes to ſave his ſoule, after hee was dead; beſides many other like ſtreynes of the ſame ſpirit, which that ſtory preſents unto the diligent Reader. Now then, there being a ſpirit of this profound, deepe, and divelliſh enmitie againſt you, working in the Bowells and inward parts of theſe men, to deſire not onely your temporall, but eternall death alſo, it is none other like, but if they ſuſpect and doubt of the ſtrength of their arme, for the ſending of you by death into Hell (as I make little queſtion but they doe, they have no great hope of hunting your ſoules into the bottomleſſe pit, which is reſerved for their owne) they will themſelves create a Hell for you, as full of torment and cruell burnings as they can make it, and caſt you into it themſelves

felves before you die, and so be gotten out of their reach. So that there is nothing to bee looked for from these men but death, or that which is worse then death, a life to contribute towards the increase of the paines and sorrowes of your death: and so indeed death howsoever. Therefore I beseech you consider the weight of this branch of the present motive also. Will you thinke of keeping or saving your estates, to the losse or imminent danger of your lives? Shall you not keepe your money to make a goodly purchase, if you bring all these great evils and miseries upon you thereby? Though in many other cases you might make much gaine and advantage by making the Divell a lier, yet it will bee your wisdom, to justifie him in that his saying; *skinne for skinne*, (or rather *skinne after skinne*, or, *skinne upon skinne*) and *all that bee hath will a man give for his life*. If you have so much of men in you, as Sathan your enemy supposeth (it seemes) that you have) to value your lives at any such rate above all your possessions whatsoever, shew it this day, and make a fortification and bulwarke of all that you have for their defence and safetie; *Solomon* (we know) made some hundreds of Targets, and Shields of Gold: it should not be grievous to any man to sacrifice his estate, his Gold and Silver upon the service of his life. There is a time to keepe (saith *Solomon*) and a time to spend, or to cast away, *Eccles.* 3. 6. Certainly of all other, that is no time to keepe, when a mans life lies at the stake, and is in all likelihood not to bee redeemed but by casting away. Thus much for your temporall and outward injoyments, they are all involved and concerned to the utmost, in the present occasion and service, which you have beene exhorted, to promote and further with all your strength, and all your power.

But secondly, it were well (at least it were lesse to bee layd to heart, it were a matter of farre lighter moment and importance) if your outward concernments onely, though it were even to life it selfe, were imported in that great occasion, which is now on foot, and hath beene againe and againe recommended unto you; but behold greater things then these. Your spirituall concernments also, are like to suffer, and that in a very high degree, if *Gog* and *Magog* prevaile, if ever you come to bee at the allowance of Cavaliers, Papists, and Athiests, that have taken the field against you,

you, for the things of Heaven. You are like to have stones in stead of bread, and Scorpions in stead of Fish. Those golden Pipes, by which Heaven and Earth are (as it were) joyned together, and have lively communion each with other; I meane your pure ordinances of worship, which have both the wisdom, and grace, and goodnesse of God abundantly in their frame, will be cut off, and others of Lead laid in their stead; ordinances I meane of an humane constitution and frame, whose chiefe substance, or ingredients will bee the wisdom and will, *i.e.* the folly and corrupt affections of men, by which, not Heaven, but Hell, and the world will bee joyned together, and the trade and traffique betweene both places, much quickned and advanced, ordinances which will bee ready to bee cast as dung into your faces by God, when you have beene exercised in them. You must never looke to see the goings of God in the Sanctuary, as you have done, to see any more visions of life and immortalitie let downe from Heaven unto you, in these houses of vision: those excellent ravishments and raptures of spirit, those takings up into the third Heaven by seeing him that was greater then *Solomon* in all his glory, will cease from you. Those pure streames of the Gospell will bee all bemired and soyled, when they are given unto you to drinke: Yea happily and poysoned too, by the influence of the corrupt minds and judgements of those that shall give them unto you. You must looke to have the Gospell turned upside downe, and to be made to stand in perfect conjunction with Hell, with loosenesse, wickednesse, and prophanenesse, and in opposition to Heaven, Grace and Holinesse; to be made a Savour of death to those that shall bee saved; and a Savour of life to those that shall perish. It will bee made to frowne upon those that are godly, and to looke cheerefully and comfortably upon loose men. So that if your soule shall lust for these Sommer fruits, if you shall desire to have communion with God in communion and fellowship with his Saints, If you shall desire at any time to be rained upon by a shower of life and peace from Heaven; you must repaire againe to the woods and mountaines, or to the covert of some close and secret place, where you must eate the bread of your soules in perill of your lives; as your forefathers did in

Queene *Maries* dayes, on with danger of suffering whatever the malice and revengefull spirit of your enemies shall thinke good or can devise to inflict upon you.

Therefore now consider, you that have had the liberty of your Sanctuaries, and of your publike assemblies, that have beene fed with hony out of the *Rocke*, and with the finest wheate of Heaven, you that have had an open and free trade to Heaven, and have had glorious returns from them day after day, to whom the Ministry of the Gospell, hath beene as the wings of the morning, as *Charlots* of fire to carry you up and downe as it were in spirituall state and triumph betweene Heaven and earth; Oh how will that day be as the shaddow of death unto you, wherein you must exchange your Quails and Manna from Heaven, for the Garlike and Onyons of *Egypt*, when you shall heare the Pope and his Hierarchie preached up to the Heavens, and Jesus Christ with his Saints preached downe to the earth, and made to sit at their footstoole, when your soules and consciences shall bee compassed about with lies and errors and the Commandements of men, in the Ministry of the word, in stead of those spirituall and glorious truths, which were wont to bee as so many Angels sent from the presence of God to comfort you; doubtlesse if ever you saw the heavens opened over your heads by an effectuall and sound Ministry, and Jesus Christ standing at the right hand of God in glory, as *Stephen* did, if ever you smell the savor of life by Jesus Christ preached; the day wherein such a ministry shall bee taken from you, will bee like the day wherein the Sunne shall bee covered with Sack-cloath, and the Moone turned into blood, and the Starres in the Firmament of Heaven lose their light. The change will bee every whit as sad unto you, as that was unto *David*, when hee was driven from the Sanctuary and presence of God, and compelled to dwell in *Mesech*, and make his habitation in the *Tents of Kedar*. If this exchange made him cry out, woe is me: you must thinke it will bee a double woe unto you, when the *Arke of God* shall be taken from you, and *Dagon* set up in its stead, when the dispensations and administrations of Heaven, which were spirit and life, the light of Gods countenance it selfe unto you, shall bee exchanged for the statutes and ordinances of *Rom*; which are like tombes and sepulchers, ha-
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ving nothing in them but rottenneſſe and dead mens bones. If ſuch a day were now upon you, what would you give to buy it off? and is not the purchaſe of the prevention of it worth as much?

It may be there are ſome amongſt you whoſe ſoules and conſciences were never yet engaged, eyther by the puritie or power of any of the ordinances of God; who never yet knew what it was to bee kindly touched from Heaven by any ſpirituell adminiſtration; to ſuch as theſe it is like *Dagon* may bee as good as the Arke; the devices and inventions of men, as beautiull, as ſavory, in the houſe and worſhip of God, as thoſe ordinances themſelves which have the perfect image and ſuperſcription of God upon them: a miniſtery that is low, and cold, and ſet in conſort with the Earth, and the things thereof; as that which is calculated for the Meridian of Heaven, and breathes life and immortalitie in the faces of mens ſoules continually. If ſuch as theſe lend but a dull or deafe eare to the motion, cannot finde ſo much as two mites in their eſtates to caſt into the treaſury of God, it is not much to be marvelled at. But for you that know how little the chaſſe is to the wheate; I beſeech yon to have this ſence of the buſineſſe recommended to you, that when you have done the utmoſt of what you are able to doe for the advancement of it, you would yet unfainedly deſire to doe more.

Thirdly, To engage you yet further to give out your ſelves fully & freely as you have bin exhorted, you may pleaſe to conſider, that as all your pretious intereſts, whether in the things of this life, or of that which is to come, are deeply concerned in it, ſo are all the like intereſts of all your brethren, the godly perſons in the land concerned likewiſe. And if the cauſe ſhould ſuffer or miſcarry, it would bee as a ſword that would paſſe through all the righteous ſoules throughout the land; it would bring ſuch a day of ſorrow, lamentation, and woe upon the generation of the ſervants of God throughout the Kingdome, as ſcarce hath beene heard of in all ages: it will cauſe all their hands to hang downe, and their knees to wax feeble, and their hearts to wither as the graſſe; it will fill all their eyes with teares, and their hearts with heavineſſe: there will bee no end of thoſe great evils and miſeries which will come upon them in that day. The breach that will bee
made

made upon them will bee like the great breaches of the Sea which cannot bee repaired. It was a night of much sadnesse to the land of *Egypt*, when God slew in every house one throughout the whole Land: the Text saith, *There was a grievous cry throughout the whole land of Egypt upon it*: But this cup was given to the Egyptians to drinke: And yet this stroke fell not so sore upon them neither, as the miscarriage of that great action wee speake of, would doe upon the Israell of God amongst us. That did but touch the Egyptians in the lives of one in every Family respectively: but the stroke which is now lifted up, and likely to be given in the land, whereever it light, should it fall upon the right hand, upon the people of God, it would wound them all, and that very sore, yea and that not in some, but in all their concerns and injoyments whatsoever, as well in those which relate to this world present, as in those, whose accommodations are more peculiarly for that world which is yet to come (as hath beene shewed already) If ever that mountaine of prophannesse, which now you are exhorted to put to your shoulders to remove, shall be establsbed, doubtlesse it will magnifie it selfe against all that is called Holy in the Land; it will lie heavy and oppresse, if not overwhelme and bury under it, all that have the marke of the living God upon them. Therefore I beseech you consider what you doe: If this great evill shall come upon the Church and people of God amongst you, and you bee found dull and heavie, negligent and remisse in the preventing of it, and not improve your selves to the utmost that way, when as it hath beene so fully and feelingly, and frequently both represented and recommended unto you, shall you not bring the guilt of it all upon your heads? Shall you not bee looked upon both by God and men, as accessaries (if not principalls) in all those sore afflictions and calamities, which in this case shall fall upon them? will not God require their sorrowes, and their teares, and their troubles, and their afflictions, and all the extremitie they shall endure at your hands? *When I shall say unto the wicked* (saith the Lord to his Prophet *Ezekiel*) *Oh wicked man, thou shalt die the death, if thou dost not speake and admonish the wicked of his way, that wicked man shall die for his iniquitie, but his blood will I require at thine hand, Ezek. 33.* If God will require the blood of a wicked man at the hand of his Prophet

in case he did not seeke to prevent it by admonishing him : will he not much more require the sorrowes, sighings, troubles, teares, extremities, blood of a whole nation of Saints, at the hand of those by whose unfaithfulnesse, coldnesse, covetousnesse, negligence in any kind, they shall come upon them. *The Sonne of man* (saith our Saviour) *goeth his way, as it is written of him : but woe be to that man, by whom the Sonne of man is betrayed : it had beene good for that man, if he had never beene borne :* In like manner the Church and people of God amongst us may yet suffer grievous things, but woe bee to those, whomsoever they bee, bee they fewer, be they more, bee they rich, be they poore, by whom their peace and safety shall bee betrayed.

Matth. 26.
24.

Fourthly (and lastly) All our owne concernments and the concernments of all our deare brethren in the faith throughout the land, are bound up in the businesse, which hath bin so frequently and affectionately recommended unto you ; so are the like concernments of others of our brethren also, partakers of like precious faith with you, in other lands and Kingdoms, bound up likewise herein; though not all (perhaps) in the same degree. There is a common report of a strange sympathie between Hippocrate's twins, that they alwayes cried together, and laughed together. And doubtlesse there is some such sympathie betweene all the Reformed Churches (as we call them) in these parts of the world : amongst which likewise I comprehend those plantations of our Brethren of this Land, in *America*, and other Westerne parts, at least betweene all that are truly faithfull and sound in that profession which they make in these Churches. I doe not speake here of that inward or spirituall sympathie, which in respect of reciprocal affections and mutuall tendernesse, intercedes betweene all the true and living members of the mysticall body of Christ, though never so remote asunder, but of that mutuall dependencie which the outward affaires and condition of every one hath, upon the condition of the other, so that the prosperitie and well established peace of any one, hath an influence into, and contributes more or lesse towards the like establishment of the other : As on the contrary, the shaking, trouble, ruine, or destruction of any one weakens the strength, and impaires more or lesse the securitie of all the other. So that they must needs all weepe together, and all laugh

together.

Anti-Cavalierisme.

together. Now then, this is that which I say and hold forth to your Christian and godly considerations in this motive; that the action wherein the Church and people of God in the Land are now ingaged, and which is yet depending betweene them, and their adversaries, will in the issue, close, and fall of it, bee of very remarkable concernment to all the Saints of God in all those other Churches mentioned; if it falls on the right hand, it will bee the riches, strength, and increase of them; if on the left, it will be the diminishing, shaking, and impairing of them, therefore consider I beseech you, the great weight and importance of the opportunitie that is before you, if through your zeale, and forwardnesse, and faithfulness to advance it, and the blessing of God upon it, your present service shall prosper, your light will be like the *lightning which* (as our Saviour saith) *shineth from the East even unto the West*: the heate and warmth and living influence thereof, shall pierce through many kingdoms great and large, as *France, Germany, Bohemia, Hungaria, Polonia, Denmarke, Sweden*, with many others, and finde out all the children of God, and all that are friends to the Kingdome of Heaven, and will bee a cheering and refreshing to them: Especially to your brethren in their severall plantations in farre countries; and most of all to those in these united and neere kingdoms, *Scotland and Ireland*, it will be as a feast of fat things, and of wines well refined: and particularly to poore bleeding, dying *Ireland*, it will be as a resurrection from death unto life. Now then in-as-much as God hath set you this day, as the Sunne in the firmament of Heaven, from whence hee hath an opportunitie and advantage to send forth his beames, and to furnish and fill the world with his light and influence round about him; since you have the commodiousnesse of such a standing, that you may doe good to all that is Gods, I meane to all the Saints in all their dispersions and quarters throughout so many kingdoms, and such a considerable part of the world as hath beene mentioned, so that you may cause them to rise up before you and call you blessed; I beseech you doe not betray this first-borne opportunitie of Heaven: looke upon it as a great and solemne invitation from God himselfe unto you, to do greater things for the world, at least for the Christian world, then ever you did unto this day; or then ever you are like to doe the second time, yea then any particular Christian

stian State ever did, or is like to doe while the world stands. God hath prepared and fitted a Table for you large enough, if you will but spread and furnish it with such provisions as are under your hand, that you may feast, and give royall entertainment, to the whole household of faith, almost throughout the whole world at once. And shall it now seeme any great thing in our ages, or bee in the least measure grievous unto any man or woman of you, even to lavish his gold out of bagges, to bestow his whole substance to deuest himselfe of all he possesseth in the world, even to his shooe Latcher, to furnish and set out such an occasion as this is, like it selfe? Shall not the very conscience and comfortable remembrance of such a thing as this done with uprightnesse and simplicitie of heart by you, be a thousand times better then any superfluities of silver or of gold, or of meates, or of drinckes, or of houses, or of or of jewels, or apparell whatsoever? Nay if we shall bring povertie and nakednesse, and hunger and thirst upon our selves, to purchase and procure it, will it not bee better then an estate, then cloathing, then meates and drinckes unto us? will it not take out the burning, and allay the bitternesse of all these? Doubtlesse the honour and conscience of the fact, will beare all the charges, and answer all the expence of it to the full. The opportunitie and occasion is so rich and glorious, that it calls to remembrance (as sometimes the shadow doth the substance) the great opportunitie that was before the Lord Jesus Christ, for the salvation of the world: We know that he *being rich*, became poore, that the world thorough his poverty might be made rich. You have the patterne in the mount before you: See that according to your line and measure, you make all things like to it.

FINIS.